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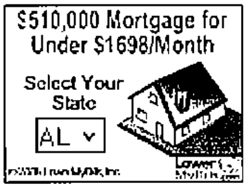

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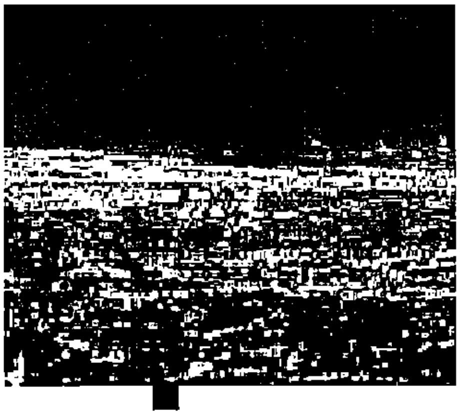
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CNN LATE EDITION WITH WOLF BLITZER

Interview With Bill Frist; Interview With Stephen Hadley

Aired May 14, 2006 - 11:00 ET

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WOLF BLITZER, HOST: It's 11:00 a.m. in Washington, 8:00 a.m. in Los Angeles, 4:00 p.m. in London and 7:00 p.m. in Baghdad. Wherever you're watching from around the world, thanks very much for joining us for "Late Edition."
We'll get to my interview with President Bush's top national security advisor, Stephen Hadley, in just a moment. First, though, let's go to Brianna Keilar at the CNN headquarters in Atlanta for a quick check of what's in the news right now.

(NEWSBREAK)

BLITZER: President Bush will address the American public from the Oval Office tomorrow night on the hot-button issue of immigration reform.

Just a short while ago I spoke with the president's national security advisor, Stephen Hadley, about that, the renewed furor over the domestic spying program, Vice President Cheney and the outing of the former CIA officer Valerie Plame Wilson, Iran's nuclear program and lots more.

(BEGIN VIDEOTAPE)

BLITZER: Stephen Hadley, thanks very much for joining us. Welcome back to "Late Edition."

STEPHEN HADLEY, NATIONAL SECURITY ADVISER: Nice to be here.

BLITZER: The president, in his speech tomorrow night, will he call for the deployment of thousands o forces to the border with Mexico?

HADLEY: The president is very concerned, as are a lot of Americans, about securing the border. He' discussions with members of the Congress. A lot of ideas have been suggested.

One of the ideas involves using the National Guard. That's an issue that he's considering. And obviou that he will make.

Let me point out that...

BLITZER: He hasn't made a decision yet on that?

HADLEY: No, sir. This is something that's under consideration. It's a number of ideas that he's talkin

Let me make...

BLITZER: But let me interrupt for a second. Do you think by tomorrow night, 8 p.m. Eastern, when he address, he will have made a decision by then? Is there a deadline, in other words, for him to come u on National Guard forces being deployed to the border by tomorrow night?

HADLEY: What he said he will do tomorrow night is indicate where he stands and what he believes tl on the issue of immigration. And that will include the issues of border security, of internal enforcemen issue of the temporary worker program. So there will be a number of things that he'll be talking about

Let me just make one point. The notion of using National Guard to support border patrol is not a new this is something that's actually already being done. It's not about militarization of the border. It's abo civilian border patrol in doing their job, providing intelligence, providing support, logistics support and sorts of things.

BLITZER: Because right now there are only a few hundred National Guard forces on the border. Wha talking about are moving thousands, maybe 5,000 or 10,000, maybe even more. So that would be a forward.

HADLEY: No, I think what it would be is simply expanding the kind of thing that has already been dor order to provide a bit of a stop-gap as the Border Patrol build up their capacity to deal with this challe kind of idea that's being talked about.

Look, one other thing I need to say is both the United States and our neighbors to the north and the s issue of securing the border very seriously. The Mexicans have activities under way; so do the Cana

So we are all looking in a cooperative spirit to try and deal with the common problem of securing the in this hot season, when the humanitarian considerations for people trying to cross the border becom

BLITZER: Immigration reform legislation that's already passed in the House calls for the construction fence, along much of the border between the United States and Mexico.

Does the president support spending hundreds of millions of dollars to build such a fence?

HADLEY: Well, the president certainly supports strengthening the security of the borders. Spending i of border patrol is up.

This is something that the president has been paying attention to and doing -- and the administration over the last four years. So this is a priority for the president. It's an important element of dealing with reform.

BLITZER: But what about a wall or a fence, specifically?

HADLEY: There are a number of things that are being looked at. There are a number of programs th Chertoff has announced. You'll be hearing, probably, more about these programs tomorrow night.

BLITZER: You don't want to comment on the fence? Is that what you're saying?

HADLEY: No. The president's got a number of things. As I say, Secretary Chertoff has announced a initiatives. There are things under consideration, and this is the kind of thing the president will addres

BLITZER: The president will support a guest-worker program that eventually will lead, over 11 years citizenship for most of these illegal immigrants who have been in the United States for more than five

HADLEY: What the president has said is that he thinks that the proper approach to immigration refor border, internal enforcement, and a temporary-worker program so that willing employers in the Unite access to willing workers, particularly from Mexico, and to do it in a way that is lawful.

That will take some of the pressure off on the border and will allow the border patrol to focus on the tl worried about, which is crime and narcotics and the like.

So he believes that we need a comprehensive approach and, as he said publicly, a temporary-worke not amnesty...

BLITZER: Why isn't it amnesty? Because a lot of your critics in the House of Representatives, especi conservatives, say this is amnesty, that if you let these illegal immigrants eventually stay in the Unite(become citizens, this is amnesty.

HADLEY: Well, the president's concept is not amnesty.

BLITZER: Why?

HADLEY: One of the issues is -- because one of the problems with amnesty, of course, is if you do -- million or so illegal immigrants in the United States. And the concern is that a wholesale amnesty will to come.

So the issue is -- and this is one of the things that's going to have to be worked out in the dialogue be president and the Congress, how to deal with this particular problem, how to deal with the difference folks who have recently come to this country and those folks who have been here sometimes for yea decade and have families and are part of the community. These are tough problems.

And what the president has said there needs -- we need to do it lawfully. We can both control our bor humane. We can do it in a legal way. And we need to do it in a way that provides a lawful way for pe(work in the United States.

The issue about how they can progress for citizenship is one that's going to be worked out. But one c president has said is that anybody who's part of one of these temporary-worker programs, if they look citizenship, there are things they will need to do, requirements that they will have to meet, and they w the back of the line, not at the front of the line, to reflect those who have proceeded in the lawful way.

But again, this is the kind of issue that the president will have an opportunity to address tomorrow nig

BLITZER: Let's talk a little bit about this USA Today story that came out this week on collecting billior over the past nearly five years since 9/11 to look for patterns, suspicious patterns.

One major U.S. phone company, Qwest, refused to cooperate with the National Security Agency. Bel cooperate; AT&T, Verizon, they did cooperate.

The statement that was released by the attorney for Joseph Nacchio, the former CEO of Qwest, said learned that there was a disinclination on the part of authorities to use any legal process, Mr. Nacchic these requests violated the privacy requirements of the telecommunications act. Accordingly, Mr. Na(instructions to refuse to comply with these requests."

Apparently, the federal government, the NSA, just dropped the request with Qwest after they refused reasons.

Are you 100 percent convinced that this was legal to go ahead and ask these companies for this priv about tens of millions of Americans' phone calls?

HADLEY: Let me put this in a little context, Wolf. The president takes very seriously his responsibility privacy rights of the American people.

He also takes seriously the need to use the intelligence resources of this country to protect against th to attack us. And that's principally Al Qaida and its affiliates.

All the intelligence activities that we have been pursuing are lawful. They have been abriefed to the a members of the House and Senate Intelligence Committees, both Republicans and Democrats, and a protect the country against Al Qaida and its affiliates -- not innocent Americans, but Al Qaida and its a

I can't, sitting here, confirm or deny the claims made in that story. But if you look at what the story say interesting. The story does not claim that there was listening in on domestic -- to domestic phone call that. It does not claim that names were provided or addresses were provided or content of calls were personal information.

It's talking about calling information: date of call, to whom and how long. And this is information...

BLITZER: But if you have...

HADLEY: ... this is information that is business records. It can be lawfully provided to the federal gov(circumstances.

BLITZER: But if you have the phone number of an individual, it's easy to find out who that individual i:

HADLEY: The Supreme Court has held that calling records, information -- phone numbers calls, date is not protected by privacy. And there are lawful ways under a variety of statutes and procedures by \ information can be shared with the federal government. So this is not a privacy issue.

BLITZER: Can you say that over the past nearly five years, this program of collecting all these phone has resulted in thwarting one terrorist attack against the United States?

HADLEY: Again, I cannot confirm or deny the claims in the USA Today story. But what I can say is th activities we have conducted against Al Qaida, lawfully briefed to the Congress, narrowly focused on have prevented attacks and saved lives.

BLITZER: There have been specific attacks that were in the working stages that, as a result of this dε whatever it's called, you managed to stop that attack? Is that what you're saying?

HADLEY: I said as a result of intelligence activities undertaken by the United States.

BLITZER: I know, but I'm talking about the collection of the phone numbers. Has that specific prograr thwarting a terrorist act?

HADLEY: And as I said to you, I cannot confirm or deny the claims of that story. What I can tell you is activity protected and saved lives and protected America, and the president has cited in some of his s when that has occurred.

BLITZER: Let's talk about this number-three official at the CIA, Dusty Foggo, who's under investigatic pictures the other day of his house in suburban Virginia being searched, his offices being searched.

Explain to the American people what's going on here. How is it that the number-three official, appoint to be the executive director of the CIA, is now under investigation? And you've heard all of these repc games and prostitutes and limousines. What's going on?

HADLEY: This is obviously a matter which is now under investigation. It's a law enforcement matter, That means it's something I cannot talk about.

I think the point is that the president has an opportunity in the appointment of Michael Hayden to give the CIA. Porter Goss has done a terrific job of beginning the transition to a reformed Central Intelliger Mike Hayden now has an opportunity to carry that process forward. And that's why the president norr head the CIA.

BLITZER: So you don't want to go into specifics on Dusty Foggo?

HADLEY: Correct.

BLITZER: Have you ever met the guy?

HADLEY: I'm not sure.

BLITZER: OK. Fair enough. Obviously didn't have a big impact on you, if you don't remember.

There's another story out this weekend, suggesting, on the Valerie Plame investigation, that the vice Cheney, when he saw that article that her husband, Joe Wilson, the former ambassador, wrote in the scribbled some notes on the side, including, had they done this sort of thing before, send an ambass question? Do we ordinarily send people out, pro bono, to work for us, or did his wife send him on a ju

Was there an effort under way in the White House, in the Bush administration, to undermine the cred Ambassador Joe Wilson, as a result of what he was saying at the time?

HADLEY: Well, again, as you know, this is a matter that's under investigation. There are ongoing leg associated with it. It's the kind of thing that I'm not at liberty to talk about.

BLITZER: But you were there in the middle of all of this at the time. You remember the discussions, t discussions. And I believe you were called to testify before the grand jury.

HADLEY: You know, there's been a lot of press commentary about that time and about Ambassador claims he made publicly. And it's been interesting, because there have been articles in the press and findings by investigations on the Hill that suggest that some of the claims that were made were not tr

But again, this is a matter that is under investigation, and the instructions that we have, of course, is t with these investigations and not talk about them publicly.

BLITZER: Should there be direct talks between the United States and Iran on its nuclear program?

HADLEY: Well, there have been, of course, lots of talks with Iran on its nuclear program, and we hav supportive of that diplomacy.

BLITZER: But should the U.S. meet directly with Iranian officials?

HADLEY: At this point, what we think needs to happen is that the process that you saw on display in week needs to go forward. There needs to be a Chapter 7 resolution coming out of the United Nation that makes clear what Iran needs to do, in terms of reassuring the international community that it has weapons ambitions.

We are looking at the kinds of sanctions that might be applied if it does not make the right choice. We the kinds of benefits that might be applied if Iran does make the right choice.

But there's been a lot of opportunity for discussion with Iran on this issue. There was an agreement r members of the E.U. There was a subsequent offer from the E.U. There was a proposal by the Russi have done enrichment in Russia, not in Iran.

There have been a lot of opportunities for Iran to make the right choice, which is respond to the will o community and give assurances, by getting out of the enrichment business, that it's not pursuing a n

BLITZER: We're out of time, but under what circumstances will the U.S. start direct talks with Iran on -- even as you've already authorized the U.S. ambassador in Afghanistan to have direct talks with his counterpart on Afghan issues. You've authorized the U.S. ambassador in Baghdad to have direct talk officials on Iraqi related issues.

Under what circumstances will you authorize direct U.S.-Iranian talks on the nuclear issue?

HADLEY: We think the framework we have is even better. We have a number of countries that are e on this issue. We are supportive of those discussions, as you know. The Europeans made a proposa year and a half ago, and we indicated clearly we were going to facilitate that proposal.

So the forum has now shifted to a discussion in the U.N. Security Council, where the international co whole, of which the United States is a part, can make clear to Iran what it needs to do. We think that' this time for this issue.

BLITZER: Stephen Hadley, the president's national security advisor, thanks for coming in.

HADLEY: Thanks very much.

(END VIDEOTAPE)

BLITZER: And just ahead, we'll get a different perspective. Balancing privacy and protection -- is the crossing the line? We'll ask a former national security advisor, Zbigniew Brzezinski.

Then, U.S. troops could soon be on the front lines of the immigration battle. We'll talk about the next immigration reform with the Senate majority leader, Bill Frist, and the Senate Judiciary Committee's r Patrick Leahy.

And remember to tune in to CNN's special primetime coverage of President Bush's speech on immig tomorrow night. I'll begin our coverage with a special edition of "The Situation Room." That starts at 7

"Late Edition" continues right after this.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

GEORGE W. BUSH, PRESIDENT OF THE UNITED STATES: We're not mining or trolling through th millions of innocent Americans.

(END VIDEO CLIP)

BLITZER: President Bush responding to the bombshell report this week that the government has bee millions of Americans' phone calls.

Welcome back to "Late Edition." Joining us now is former national security adviser, Zbigniew Brzezin under president Jimmy Carter.

Dr. Brzezinski, always good to have you on "Late Edition."

ZBIGNIEW BRZEZINSKI, FORMER NATIONAL SECURITY ADVISER: Nice to be with you, Wolf.

BLITZER: Is it smart for the U.S. to deploy thousands of National Guard forces to the border with Me: Mexicans and others from coming into the United States illegally?

BRZEZINSKI: I'm afraid that this have will a dramatizing effect on the problem. It, kind of, militarizes i the countries to the South, in particular, Mexico, would just react very adversely.

There is a problem here. There's no denying there's a serious problem. But I think we ought to view il and socioeconomic problem and not primarily as an enforcement problem which then requires the us forces

That part, to me, is troubling. BLITZER: Well, what do you do to stop illegal immigrants from coming i wall? Do you build a fence?

What do you do if you're not going to send in thousands of troops?

BRZEZINSKI: Well first of all, you enhance, you enlarge the border patrols. You mobilize more peopl border patrolling. That's what they're for. They don't have to be in the national guard or in the military.

Secondly, you do something to regularize the status of the illegal immigrants. After all, they're here in economy needs them. We really need them. And they've been here, in some cases, for years. We ha a broad and, also, humane fashion.

BLITZER: So you support what the president has proposed, a guest worker program that eventually, so, would allow those illegal immigrants who have been in the United States for at least five years to

BRZEZINSKI: Yes, I do. Although, I won't argue about specifics. In fact, I think 11 years may be quite

But I do think we need to regularize the status of these people; we have to enforce border control mo the basis of services designed to do that. And we have to have some understanding of the balance b requirements and economic needs. And right now, they're out of whack.

BLITZER: Let's talk a little bit about the story that came out this week in USA Today that the NSA, the Agency, since 9/11, has been collecting information on billions of phone calls, tens of millions of Ame records, to see if there are patterns that could connect the dots, if you will, and lead toward terrorist s United States or abroad.

Senator Jon Kyl, who is a member of the Judiciary Committee, Republican of Arizona said this. Lister

(BEGIN VIDEO CLIP)

SEN. JON KYL (R) AZ: This is nuts. We are in a war. And we've got to collect intelligence on the ene tell the enemy in advance how you're going to do. And discussing all of this stuff is public leads to tha

(END VIDEO CLIP)

BLITZER: Are you comfortable with this NSA collection of phone records?

BRZEZINSKI: I'm not dodging, but I'm going to give you some distinctions. I was briefed at very high after 9/11. And it seemed, at the time, that the administration was really expecting a follow-on attack i period of time. I can see how, in that atmosphere, something like this was started immediately to see some clues.

But almost five years have passed since then. What I would like to know is what congressional leade briefed and how were they briefed on this program during the intervening months and years?

Was a legal brief presented? If so, what did it say? And third, when Qwest refused to cooperate, why not to cooperate if this was such a real, serious national security need?

So there are some weaknesses in the position of the administration, largely because of the passage

BLITZER: So you're suggesting, at this point, you want more information before you draw a hard and the legality or the usefulness of this whole program?

BRZEZINSKI: Absolutely. I think, in all these issues, there is tremendous vagueness, I don't know wh made; I don't know what congressional leaders actually proved it. I don't know why we didn't press Q this was so necessary.

And I don't buy the proposition we are at war. You know, this is really a distortion of reality. We have problem with terrorism, although we haven't been attacked for five years. We have to deal with it ove

But to create an atmosphere of fear, almost of paranoia, claiming that we're a nation at war, opens th legal shenanigans that can infringe on civil rights.

BLITZER: General Michael Hayden, the four-star Air Force general, has been tapped to become the

I want you to listen to what Chuck Hagel said about the law that you put in place in 1978 when you w security adviser under President Jimmy Carter, the FISA law, the Foreign Intelligence Service Act, be expanded that, Michael Hayden, when he was the National Security Agency director before moving c

Listen to what Hagel said.

(BEGIN VIDEO CLIP)

U.S. SEN. CHARLES HAGEL (R-NE): The 1978 FISA law is outdated. I think we need a new framew regulations that in fact bring all of this up into the 21st century, new threats, new technologies.

And we need a law, a framework of regulations so that our intelligence community, our experts can w legality of those new laws.

(END VIDEO CLIP)

BLITZER: I assume you agree with Senator Hagel.

BRZEZINSKI: I agree 100 percent.

BLITZER: You think that the FISA has to be updated?

BRZEZINSKI: Oh, absolutely.

BLITZER: If they want to expand it, they should pass new legislation as opposed to just doing it?

BRZEZINSKI: Absolutely. If they just do it, on the basis of, I don't know, written orders, oral orders, h justified?

We slide into a pattern of illegality which, over time, can become dangerous?

BLITZER: Should General Michael Hayden be confirmed as the CIA director?

BRZEZINSKI: I have no absolutely no view on that subject at this moment. I really don't. I'm not dodg have a view.

BLITZER: Well, what about the notion of having a military man, a man in uniform serve as CIA directo

BRZEZINSKI: Some of the best CIA directors were former military men. They weren't, maybe, neces: moment in uniform, but they got their jobs having been in uniform.

BLITZER: Stansfield Turner was an admiral...

BRZEZINSKI: Bedell Smith was another one.

BLITZER: And he served when you were the national...

BRZEZINSKI: Yes.

BLITZER: Was he active-duty in the Navy at the time when he served as CIA director?

BRZEZINSKI: He certainly was active-duty when he was appointed. I honestly don't know if he then r active duty.

But the point is these people very often have excellent qualifications. I don't think being a military offic infringes on their capacity to be good directors of CIA.

BLITZER: All right. We're going to ask you to stand by, Dr. Brzezinski.

We have a lot more to talk about. We're going to raise the issue of U.S.-Russia relations, Iran and Ira Zbigniew Brzezinski.

Also coming up next, a quick look at what's in the news right now, including details on what's been ar day again in Iraq.

Stay with "Late Edition."

(COMMERCIAL BREAK)

(NEWSBREAK)

(COMMERCIAL BREAK)

BLITZER: Welcome back to "Late Edition." I'm Wolf Blitzer in Washington.

We're talking about the Bush administration's national security strategy with former national security a Brzezinski. He served under former President Jimmy Carter.

There seems to be some tension in the U.S.-Russian relationship right now. Vice President Dick Che speech the other day to which the president of Russia, Vladimir Putin, responded in part this way: "W our house strong and reliable. We must always be ready to counter any attempts to pressure Russia strengthen positions at our expense. The stronger our military is, the less temptation there will be to e pressure on us."

How worried are you, if you are, that U.S.-Russian relations are deteriorating?

BRZEZINSKI: I'm not terribly worried.

There are some negatives in these relations due, in part, to the fact that President Bush overstated -- overstated -- Russia's move toward democracy. And as a consequence, Putin had a five-year-long fr only comment on the Cheney speech is that it's a little late in coming.

But on the other hand, we have a lot of common interests. We have a stake in developing energy sec summit is going to focus on that. We have a stake in meeting somehow constructively with Iran. We h differences in tactics, but we share the view that Iran should not have nuclear weapons.

So, you know, we cooperate, we compete, and we also criticize them.

BLITZER: Should there be direct U.S. talks with Iranian officials on Iran's nuclear program?

BRZEZINSKI: That's a key issue. You know, it's really ironic. We're not negotiating with Iran, but we a

Who are we negotiating with? We're negotiating with the negotiators with Iran. And it's an absurd situ

BLITZER: To let the French, the Germans, the British, the E.U. in effect, negotiate with the Iranians.

BRZEZINSKI: Yes, and even the Chinese and the Russians.

Now, in the case of North Korea, we are involved directly on a multilateral level in the multilateral talk directly in the bilateral talks; we talk directly to the North Koreans.

BLITZER: On the sidelines.

BRZEZINSKI: Yes, but it's a direct formal relationship.

The argument that the administration makes is that we can't negotiate with Iran because it will legitim we're legitimating North Korea, so what's the big deal?

The fact is there are serious differences between the United States and Iran, conflicts over security is financial problems, claims and counterclaims. We need to talk to each other to create a measure of s engaged.

BLITZER: But even if the U.S. were to engage in direct talks with Iran, do you see it at all possible th circumstances the president of Iran, Ahmadinejad, would give up a nuclear weapons program?

BRZEZINSKI: First of you, we have built them up. We have built them up by making threats. We hav He is not really the top figure. We call him president; that's his title. But the president is not the top dc

BLITZER: Is there any incentive for him to give up weapons?

BRZEZINSKI: Not in the present circumstances, when we're not engaged in the negotiating process pumping up an atmosphere of urgency. The fact is that the earliest, by most intelligence analyses, th have nuclear weapons is approximately five years, more likely 10. Some even say 15.

So there is time to set in motion a negotiating process which is multilateral, bilateral; we participate in address some of the issues that concern us.

But the Iranians have also concerns that we need to address. If we do that, we might be able to contr arrangement whereby they're allowed to process but in a fashion that gives all of us security that they weapons.

BLITZER: You wrote a provocative piece recently, saying the U.S. should start withdrawing troops fr the timetable you would like to see for a complete U.S. pull-out from Iraq?

BRZEZINSKI: I put a little differently than you summarize it. I said we ought it talk to the new Iraqi lea to ask us to leave.

Those who are willing to ask us to leave are those who are prepared to stay and govern. Those who us to leave, probably, will leave when we leave.

Secondly, we publicly discuss with them how long we stay. And I would say roughly a year. Then thir government then convenes a conference of all of the adjoining Muslim states regarding stabilization they do have a real interest. And they won't do it as long as it's occupied by us.

BLITZER: Do you see light at the end of this tunnel in Iraq?

BRZEZINSKI: And last, we then convene a donor's conference to rehabilitate Iraq. If we get out, the stabilize. The longer we stay, the more we become the problem, the more likely the civil strife will esc It is not yet a civil war, but it is getting close to it.

BLITZER: Zbigniew Brzezinski served as President Carter's national security adviser. Thanks very m Brzezinski, for coming in.

BRZEZINSKI: As always, good to be here.

BLITZER: Thank you.

And up next, the battle over illegal immigration. President Bush set to address the issue in a major sp

night. We'll preview that speech. We'll preview lots of other issues with the U.S. Senate's majority lea
the Senate Judiciary Committee's top Democrat, Patrick Leahy. All that coming up. Stay with us.

(COMMERCIAL BREAK)

BLITZER: Welcome back to "Late Edition." The president's address comes as the Senate tries to har
immigration reform bill. Just a short while ago, here in Washington, I spoke with Senate majority lead
Tennessee.

(BEGIN VIDEOTAPE)

BLITZER: Senator Frist, thanks very much for joining us. Welcome back to "Late Edition."

SEN. BILL FRIST (R-TN), MAJORITY LEADER: Good to be back with you, Wolf.

BLITZER: The president, Monday night, delivers a major address on immigration. Do you support de
of National Guard, U.S. military forces to the border with Mexico to stop illegal immigrants from comir

FRIST: Wolf, I do. There are a lot of things we can do, we are doing in the United States Senate and
lot of those take time. The only thing that we can do to secure our borders right now is to give our sta
is best done through the National Guard.

BLITZER: How many troops do you think are needed to be sent to the border with Mexico?

FRIST: I think it's too early to know at this standpoint. I think each state has to identify what law enfor
put on the front line, what the resources are, and then, at that point in time, determine how much of tl
will be necessary.

Who pays for the National Guard? Probably, that will be a federal responsibility, I would think. The Na
be under state control. They need to determine how many people will be required along that Texas o
California borders.

BLITZER: Have you been told by the White House that this is in the president's intention, to deploy o
approval for the deployment of U.S. military forces to the border with Mexico?

FRIST: You know, I have not been in direct conversation. I have encouraged use of the National Gua
Army and not the other military, but the National Guard, which is traditionally under the auspices of th
encouraged -- I've encouraged strongly. I think that's the least we can do.

Securing our borders is a federal responsibility. We need to act. We have failed miserably in the past
we failed with in 1986, when we last gave amnesty but we didn't secure our borders. This time, we've

BLITZER: Here's what Harry Reid, your counterpart, the Democratic leader in the Senate, says abou
to this.

(BEGIN VIDEO CLIP)

U.S. SENATOR HARRY REID (D-NV), MINORITY LEADER: As a result of the war in Iraq, so overex
depleted in numbers and in equipment, I don't know how in the world we could ask them to have this
where they'll have to be pulled out of various states around the country to go help with Katrina.

Now we have thousands and thousands Guard and Reserve troops in Iraq. Now we're going to ask tl
border? I don't think they are able to do that.

(END VIDEO CLIP)

FRIST: Well, you know, he's wrong. The sort of whining and the moaning -- we've go to secure our b
from the American people. We've got millions of people coming across that border. First and foremos
border, whatever it takes. Everything else we've done has failed, we've got to face that. And so, we n
believe, the National Guard. We need to put money in there. We're doing that. We need to increase t
border security agents. We've done that, and we're going to continue to do that. But right now, for the
that to take effect, we have to have support, and it's a federal responsibility, and the National Guard a
do it. BLITZER: The Republican governor of California, a border state, also has questions about senc
border. Listen to what Arnold Schwarzenegger said.

(BEGIN VIDEO CLIP)

GOV. ARNOLD SCHWARZENEGGER (R), CALIFORNIA: I think that the key thing is to have secure the direction of the National Guard I think is maybe not the right way to go, because I think that the B and the federal government should put up the money to create the kind of protection that the federal responsible to provide.

(END VIDEO CLIP)

BLITZER: What do you say to the governor?

FRIST: Well, I think he too is wrong, in the sense that the National Guard shouldn't be used. The mor billion last year on our border. Just the other day, on the floor of the Senate, another $1.9 billion. Mor going to do it. I think the governor just said it does come back to money, and I do feel it is a federal re support that National Guard on the border.

BLITZER: Do you support the president's proposal for a guest worker program that would eventually citizenship for 10 or 12 million illegal immigrants in the United States over a number of years?

FRIST: Wolf, what we're going to do starting tomorrow is take a comprehensive bill to the floor of the border security, as you heard me say. We've got to lock down the border first and foremost. It also is temporary worker program for about six years, where people can come and go, and it's going to have workplace interior enforcement, where employers will be given the tools to enforce the law, but they'v the law. And then the fourth component is what to do with the 12 million people.

I do believe that we need to treat that program in respect to the diversity that it is, and thus for less th send them back home. Between three and five years, put them into the temporary worker program.

And greater than five years, give them the opportunity to earn citizenship over another 11-year perioc they'd have to be in this country for up to as long as 16 years. They have to learn English. They have They have to pay back-taxes, pay current taxes. They need to earn that opportunity for citizenship.

BLITZER: But if they've been here for more than five years right now, they have to wait 11 years to b

FRIST: It would be an earned citizenship, a probationary period. The current legislation on the floor is That's why we need to have amendments. Like, right now, felons could get citizenship under the bill t We have to have an amendment, hopefully tomorrow or vote on it on Tuesday, to pull that felon stanc

So there are a lot of things on this bill that are imperfect, but it's comprehensive, it addresses each of dimensions that I mentioned. And I predict we will be able to get that bill off the floor.

BLITZER: A lot of your conservative friends call this amnesty, letting these illegal immigrants who ha five years or longer work their way toward citizenship. Is this amnesty?

FRIST: You know, that's where all -- not all, but most of the focus is going to be, I think, over the next "amnesty"? How to deal with the 12 million people who came here who broke the law, who broke the need to treat them with compassion. Forty percent have been here longer than 10 years.

Now, my definition of "amnesty" -- and I've been very consistent with it -- is that you don't give people citizenship. Thus they have to earn it. And if that's the case, much of the debate, in my mind, should they need to do over that 11-year period to earn that citizenship, what those criteria should be. And th on the floor of the Senate.

BLITZER: The CNN poll that we conducted earlier in the month, we asked, "Do you favor or oppose a immigrants in the United States for more than five years?" Seventy-two percent favor it. Twenty-five p

That would seem to be a strong support for the president's position, which effectively is the McCain-K in the Senate that you now are on board with.

FRIST: Yes, that is correct. But, again, I think we need to put the word "amnesty" aside because it's b buzzword for people right now. Nobody knows exactly what "amnesty" means. They have to define it

But the focus will be on what those 12 million people will have to go through. Some will be sent back just be through the temporary-worker program. Those greater than five years are going to have to ea those criteria going to be?

And let me come back. They should not get a leg up on anybody else, in terms of citizenship. They b

(END VIDEOTAPE)

BLITZER: And just ahead, the second part of my interview with Senate Majority Leader Bill Frist. We' proposal he wants to raise in early June banning same-sex marriage in the United States. We'll be ri(

(COMMERCIAL BREAK)

BLITZER: For our North American viewers, CNN reporters will be "On the Story." That comes up righ Edition" an hour from now, 1:00 p.m. Eastern, 10:00 a.m. Pacific.

And there's much more ahead on "Late Edition," including the debate over the U.S. government's tra(We'll ask the Senate majority leader, Bill Frist, and the Judiciary Committee's ranking Democrat, Patr that and more.

And don't forget CNN's primetime coverage of President Bush's speech on immigration reform starts Eastern in "The Situation Room." Lou Dobbs will be joining me. The president's address begins at 8:(That will be followed by a special edition of "Lou Dobbs Tonight" at 8:30 p.m. Eastern.

"Late Edition" continues right at the top of the hour.

(COMMERCIAL BREAK)

BLITZER: Welcome back to the second hour of "Late Edition."

We'll return to my interview with the Senate majority leader, Bill Frist, in just a moment. First, though, check of what's in the news right now from Brianna Keilar at the CNN headquarters in Atlanta.

(NEWSBREAK)

BLITZER: Just a short while ago, I spoke with the Senate majority leader, Bill Frist of Tennessee. He that conversation.

(BEGIN VIDEOTAPE)

BLITZER: As you know, the House of Representatives has already passed legislation that's going to reconciled in a conference committee with any legislation that's eventually passed by the Senate.

The House-passed legislation makes illegal immigration a felony. If you're here in this country illegall felon. It requires employers to verify worker status and to punish them if they hire illegal immigrants. I said, for hiring illegal immigrants. And it also calls for a fence or a wall to be built along a big chunk United States border with Mexico. And no guest-worker program at all.

First of all, do you support building this wall along the border between the United States and Mexico?

FRIST: I think, as I described with the National Guard, we need, in essence, a wall, a wall, a structur can't go under, over, around or through. Does it have to be a 30-foot-high concrete wall? No, it does use of UAV, unmanned aerial vehicles, it could be infrared censors, it could be censors on the groun have to have a barrier there that people cannot cross. Part of it will have to be a structural wall; part c to be.

BLITZER: Can you finesse a compromise...

FRIST: Yes.

BLITZER: ... between the Senate and the House?

FRIST: Yes. Yes. I am absolutely convinced.

Right now, this discussion has matured over the last four to five months. We started even in the Sen border security, first and foremost, and that's where my heart is. But now people realize, unless you manage the magnet which attracts people to this country, no matter how tall that wall is, people are g come. And therefore, you need all four components of the program.

The debate has matured. Over the next two weeks on the floor of the Senate, the debate is going to more as people learn more about how complex this problem is. It's an economic problem. It addresse the American people, a nation of the rule of law, but also a nation rich in immigrant history, our basic humanitarian aspect, that people are dying across these borders.

It's a tough issue. It's not a Republican issue. It's not a Democrat issue. It's an American issue. And it to take on boldly, on the floor of the Senate, following the leadership of the president of the United St

BLITZER: And finally, when do you think this would be passed by the U.S. Senate?

FRIST: Within the next two weeks. I am confident. You've seen us working together in a bipartisan w bipartisan bill, across the board. And yes, you know, there may be 10 people on either side who don't a bipartisan bill.

You're going to see the very best of the United States Senate as we have open amendment, open de floor, improve the bill that's on the floor, and we'll have it off before Memorial Day.

BLITZER: Let's talk about the surveillance programs here in the United States since 9/11. USA Toda bombshell this week. Let me read to you from the article on Thursday.

"The National Security Agency has been secretly collecting the phone call records of tens of millions using data provided by AT&T, Verizon and BellSouth. The NSA program reaches into homes and bus the nation by amassing information about the calls of ordinary Americans, most of whom aren't suspe With access to records of billions of domestic calls, the NSA has gained a secret window into the con habits of millions of Americans."

Are you comfortable with this program?

FRIST: Absolutely. Absolutely. I am one of the people who are briefed...

BLITZER: You've known about this for years.

FRIST: I've known about the program. I am absolutely convinced that you, your family, our families a of this particular program.

I absolutely know that it is legal. The program itself is anonymous, in the sense that identifiers, in tern your privacy, are stripped off. And, as you know, the program is voluntary, the participants in that pro

And it comes to the reality -- it faces the reality that we're in the 21st century. And the only way to cor whether around the world or in this country, to prevent another 9/11, whether it's in the Pentagon or i back in Nashville, Tennessee, is to connect those dots. And the only way to connect those dots is to technology that protects your privacy, and that's exactly what this does.

BLITZER: Can you tell the American people right now that over these past almost five years since th have been collected -- I'm not talking about the warrantless surveillance, the warrantless wiretaps -- t that has resulted in thwarting one terrorist attack in the United States?

FRIST: You know, I am not going to comment on the program until the appropriate time. There has n confirmation of the USA Today program itself. I...

BLITZER: But have you been briefed on one success story?

FRIST: I can tell you I've been briefed in a classified way, and I can tell you that I am absolutely, 100 confident that this has protected and saved lives in the United States of America.

BLITZER: But has there been one success story that you can point to?

FRIST: I just don't want to be pulled in...

BLITZER: Without specifics, just tell us that there has been a terrorist attack that was plotted and, as collecting these phone calls, was thwarted.

FRIST: You know, in appropriate hearings and settings, this will come out. But this is classified inform classified program. You know, the more we talk about these programs, the more we're giving our pla terrorists who are sitting out around this country right now, who did plan 9/11 and what happened at t today. And they are in this country now. They are waiting. And the more we talk about these program them the playbook, and that empowers them to be able to have an attack on this country. And it's jus to do.

BLITZER: When are you going to introduce on the floor of the Senate legislation that would ban sam

FRIST: Sometime in early June, in early June. We're going to finish -- the Senate plans will be that w immigration. I'm going to do my best to bring the Kavanaugh nomination to the floor of the Senate. A break at Memorial Day. And very soon after that we will take the proposed amendment on having ma as a union between a man and a woman.

BLITZER: As you know, the daughter of the vice president, Mary Cheney, has got a new book out. S talks openly about it.

She was on "Larry King Live" earlier this week, and she spoke about this amendment that you would that would ban same-sex marriage. I want you to listen to what she said.

(BEGIN VIDEO CLIP)

MARY CHENEY, AUTHOR: ... his position very clear, that he does not support the federal marriage President Bush endorsed the federal marriage amendment, I did give pretty serious consideration to or to quitting the campaign, but I just couldn't. It was such an important election, and I believe so stro

(END VIDEO CLIP)

BLITZER: She says her father opposes what you're about to try to pass. What do you say to the vice Lynne Cheney, when you look them in the eye and you say, "I want to ban same-sex marriage," kno daughter clearly supports same-sex marriage?

FRIST: Yeah, I basically say, Mr. Vice President, right now marriage is under attack in this country, a activist judges overturning state by state law, where state legislatures have passed laws defining ma man and a woman and that's it. And that is being overturned by a handful of activist judges around th that is why we need an amendment to come to the floor of the United States Senate to define marria between one man and one woman.

BLITZER: Are you running for president?

FRIST: You know, I'm going to wait and see after I leave. Right now, as you well know, we've got a l so my number- one goal is going to be push this Republican agenda forward for the American people make sure that we're in the majority next year in the United States Senate.

BLITZER: Senator, thanks very much for joining us.

FRIST: Great to be with you, Wolf. Thank you.

(END VIDEOTAPE)

BLITZER: And coming up, a top Democrat's take on the immigration fight, the domestic spying contr We'll talk live with Senator Patrick Leahy of Vermont.

Then: Did the Iraq war spread turmoil across the Middle East?

My special conversation with Jordan's new foreign minister, Abdel Ilah Khatib, about where things st

Plus, in case you missed it, we'll have some of the highlights of the other Sunday morning talk shows States. "Late Edition" continues right after this.

(COMMERCIAL BREAK)

BLITZER: Welcome back. Joining us now with his take on immigration reform as well as the Bush ad domestic surveillance program, is the ranking Democrat on the Senate Judiciary Committee, Patrick

Senator, welcome back to "Late Edition."

SEN. PATRICK LEAHY (D), VERMONT: Thank you. Good to be with you.

BLITZER: I want you to listen to what General Michael Hayden -- he's been nominated by the presid next CIA director -- what he said about this USA Today report suggesting that, for almost five years, Security Agency has been collecting data on billions of phone calls here in the United States.

Listen to what he said.

(BEGIN VIDEO CLIP)

GEN. MICHAEL HAYDEN, CIA DIRECTOR NOMINEE: All I would want to say is that everything that lawful and very carefully done and that the appropriate members of the Congress, House and Senate NSA activities. And I think I'd just leave it at that.

(END VIDEO CLIP)

BLITZER: All right. Are you convinced that everything the NSA has done, monitoring these phone cal patterns, listening in, not necessarily listening directly in but making sure phone numbers are recorde lawful? LEAHY: No, I don't believe it's lawful. I do believe that General Hayden is a very competent, h trained officer. And I appreciate that. But this is a question that goes beyond him. It goes to the White legal? Is it proper? Does it follow the law?

And what we've been told in public leads me to believe it's not.

That's why I think it's very important that the...

BLITZER: What's illegal about it, potentially?

LEAHY: Well, there are very specific laws about when you can go and collect that. There's nothing th blanket going into your phone records, my phone records, everybody else that's listening.

And some might question: what does that give us? I mean, it's like drinking from a fire hose. We shou terrorists, not spying on innocent Americans.

If you have hundreds of millions of phone calls you're trying to track a day, what do you get out of it? the same administration that had the information that could have stopped 9/11 from happening. They until September 12.

BLITZER: This has been going on, though since 9/11. Michael Hayden was the director of the Nation Agency. And he says that members of Congress, key members, Republicans and Democrats, were b program.

LEAHY: I've yet to hear anybody say they were briefed on the legality of it and agreed to it. And that's Committee is going to have hearings on whether it is legal.

This is also, probably, why one of the telephone companies, Qwest, refused to go along with this. An the administration, when they were, told we're not going to go along with it because we don't feel it's l thought it was legal, they would have come right back in and said, no, you've got to give it to us.

Instead, they said, whoops, sorry, we're backing off. Does that mean that...

(CROSSTALK)

... if terrorists are going through one phone company, they're OK, and not through another, anymore there are millions and millions of Americans involved in terrorist activity.

BLITZER: So did AT&T, Southern Bell and Verizon -- did they violate the law, violate the privacy of th

LEAHY: I do not find anything in the law that allows them to do this. This is why they're going to be in before the Senate Judiciary Committee and explain under what law they acted.

BLITZER: Your colleague on the Judiciary Committee, Jeff Sessions, a Republican of Alabama -- he these reports this way. Listen to what he said.

(BEGIN VIDEO CLIP)

SEN. JEFF SESSIONS (R) AL: We're in a war with terrorism. There are people out there that want to

And I don't think this action is nearly as troublesome as being made out here because they're not tap and getting our conversations; they're merely maintaining these numbers from which they have some apparently, to utilize those to match up with international phone calls connected to Al Qaida.

(END VIDEO CLIP)

LEAHY: Well, you know, the junior senator from Alabama has raised, basically, the White House talki chairman of the committee, however, has said we're going to call them forward to find out what they (

The fact of the matter is, it's almost as though, well, we can't tell you anything because we're fighting time this administration screws up, whether it's with homeland security, after Katrina, a massive failur they spent billions of dollars to make sure that thing wouldn't happen, when they screw up along the I get caught doing illegal surveillance of Americans, they say, well, but 9/11, 9/11.

Well, I'd remind them 9/11 happened on their watch. I think Americans are getting fed up with simply for your mistakes and classify everything else so that you can't talk about it.

I want us to be safe. I don't think that this administration is doing it the right way. They screwed up wi security. They screwed up with Katrina. I mean, after all, they were told, go catch a 6'6" Arab running Afghanistan, probably on dialysis, according to the press reports, Osama bin Laden.

We gave them everything they needed to go after him and they failed to catch him because they said war in Iraq and then -- I mean, some of the declarations, Wolf -- I get very frustrated about it -- the pr several years ago, on an aircraft carrier and says, "mission accomplished," "mission accomplished."

BLITZER: He said major operations, combat operations were over.

LEAHY: Well, even that's wrong.

BLITZER: Yes, I know.

You spoke about General Hayden. You like him. You think he's highly qualified. The Republican chai Intelligence Committee, Peter Hoekstra -- I interviewed him in "The Situation Room" earlier in the we he said about General Hayden.

(BEGIN VIDEO CLIP)

U.S. REPRESENTATIVE PETER HOEKSTRA (R-MI): Obviously the program has been going on for fashion or another sends a clear signal. The people walked out of those meetings believing the progr essential, and it was making a difference.

(END VIDEO CLIP)

BLITZER: Well, he was defending the program but he also didn't like the fact that General Hayden w active duty. He thinks a civilian should be running the CIA, not a military man.

What do you say?

LEAHY: I think somebody very competent should be running the CIA. I voted against Porter Goss as He's a nice enough man but totally unsuited. It was just one more mistake by this administration. Wh "We're going to protect you," they put a crony in who was then asked to hire other Republican cronie We all know -- even this administration will admit -- that was a massive mistake.

BLITZER: Porter Goss. But what about Hayden? Your intention is to vote to confirm him based on wh

LEAHY: No, I'm going to have to ask him a lot of questions. I said he's highly competent, certainly far Goss was. But I want to know under what justification -- how does he justify the illegal spying on milli upon millions of Americans -- you, me and everybody else?

BLITZER: All right. Senator Leahy, stand by.

We're going to continue this conversation. Lots to talk about, including the president's address tomor immigration reform. We'll continue our conversation with Senator Patrick Leahy.

And don't forget to watch CNN's special coverage tomorrow night, primetime, the president's speech all starts in "The Situation Room" at 7:00 p.m. Eastern. My colleague Lou Dobbs will be joining me th president's speech at 8:30 p.m. Eastern with a special edition of "Lou Dobbs Tonight."

Stay with "Late Edition."

(COMMERCIAL BREAK)

BLITZER: Welcome back to "Late Edition." We're talking with the Senate Judiciary Committee's top D Leahy of Vermont.

Is it a good idea to send thousands of National Guard troops to the border with Mexico to prevent illeg from trying to sneak across that border? LEAHY: I think what it is saying is our present immigration p We have tried for years to get the administration to beef up our border patrol; they haven't done it.

Now that the governors want to call out the National Guard, that's fine, but let's start asking how thin time last year, I think 50 percent of our forces in Iraq were National Guard.

BLITZER: About 40 percent National Guard and Reserve.

LEAHY: National Guard and Reserve. I mean, we're stretching them pretty thin now. We're going to r patrol out of them?

What I wish they had done -- and we asked them two years ago, why don't you fund the border patro Congress has provided? You know what we got from Homeland Security for an answer? Nothing. No gave them the money. We gave them the positions. They never filled them.

This comes to a question of competence. Having said that -- or incompetence, in this case.

Having said that, I think the president is right when he says we need a comprehensive immigration bi and with some of my fellow Republicans in the Senate to do that. We passed a bill on a bipartisan vo Judiciary Committee on immigration.

But, you know, there's a whole lot of parts. You're not going to arrest 12 million people -- I think we al and send them back. You just can't do it.

But what we ought to be doing is find a way to actually enforce our laws in employment situations. W kind of a wink and nod to employees that are hiring illegal immigrants, paying them less than minimu saying, "You can't say a word about it because we'll just call immigration."

BLITZER: But it looks like there's a compromise on the Senate side between Harry Reid and Bill Fris Kennedy language. It seems like that's going to go forward.

LEAHY: Yes. I've been...

BLITZER: Senator Frist, here on this program, said he expects by Memorial Day that to be passed in it'll have to be reconciled with a very different version in the House.

LEAHY: I applaud both Bill Frist and Harry Reid for getting together on that. I think they've done a se involved in these negotiations. We still have a way to go, but I think this is the way -- this is the way t work, when you'd get together on these tough issues. And I think the president -- and I commend him an hour and a half with a number of us a week or two ago talking about it. So long as we understand pass simply an enforcement bill, it's got to be a comprehensive immigration bill.

BLITZER: Senator Frist also said that shortly after the Memorial Day break he wants to bring up an a Constitution that would ban same-sex marriage. He said that was going to be the next major issue or that a good idea?

LEAHY: No, it's an election-year stunt. It's sort of like calling us into emergency session on Terri Schi overturn very competent courts who looked at this terrible, tragic family issue.

These are the same Republicans who say, "We don't want the federal government trampling on our s states have traditionally set the laws on marriage. They say what age you have to be to marry, wheth have your parents' permission, and so on. The states have done that. And what we ought to do is all that.

Most states are going to say marriage is between a man and a woman. My own state of Vermont, be constitution, was given a question, would we support gay marriage? They said no. We'll have civil un give a gay couple legal rights of inheritance and so on.

But let the states work it out. They've always worked out these issues of marriage. That's the way it s

BLITZER: All right. One final question before I let you go.

LEAHY: Says the man who's been married 44 years to a woman I adore.

(LAUGHTER)

BLITZER: Especially on Mother's Day.

LEAHY: Especially on Mother's Day.

BLITZER: Let's talk about what Newt Gingrich said on "Meet the Press" earlier today. You remember speaker in '94 when the Republicans took the majority in Congress with its "Contract with America."

A lot of Democrats are hoping the Democrats can do the same thing this time, recapture the majority. was skeptical you could do it. Listen to this.

(BEGIN VIDEO CLIP)

NEWT GINGRICH, FORMER SPEAKER OF THE HOUSE (R-GA): They can't possibly put together a America" because Howard Dean and Nancy Pelosi and their allies are all so far to the left, they can't would do: raise taxes, create more big bureaucracy, have a much weaker system of defending Ameri

(END VIDEO CLIP)

BLITZER: Is he right?

LEAHY: Well, he's so full of himself with this. You know, we need competence with accountability.

This is the man who was opposed to the Clinton plan to balance the budget. We balanced the budge about a surplus -- a surplus which has now been turned by Republicans into the largest deficit and la in history.

This is the man who got so upset that he wasn't treated equally with the president on Air Force One t to shut down the government at a cost of untold millions.

If that's competence, I don't want it. I'm fed up with that. We can do a far better job, and we will.

BLITZER: All right, Senator Leahy, thanks very much for coming in. Appreciate it.

LEAHY: Thank you.

BLITZER: And coming up, it's been six months since the deadly terror attack against Jordan. We'll sp country's foreign minister. That's coming up.

But first, this: Mary Cheney, what's her story? The daughter of Vice President Dick Cheney is speakir book, "Now It's My Turn."

Cheney writes about being a lesbian and working for President Bush while the Republican ticket opp marriage. She reveals she nearly quit the campaign when the president publicly supported a constitu to ban gay marriage.

While Cheney says her family has always been supportive, she did not join them on the platform at th convention.

Before joining the first Bush/Cheney campaign in 2000, Mary Cheney worked as a gay community lia Brewing Company. She currently lives in northern Virginia with her longtime partner.

(COMMERCIAL BREAK)

BLITZER: Welcome back to "Late Edition." I'm Wolf Blitzer in Washington. Six months ago terrorists, attack in Jordan's capital city of Amman.

On his visit to Washington this week, I spoke with that country's foreign minister, Abdel Ilah Khatib ab in the war on terror and more.

(BEGIN VIDEOTAPE)

BLITZER: Foreign minister, welcome to Washington. Good to have you on "Late Edition."

ABDEL ILAH KHATIB, JORDANIAN FOREIGN MINISTER: Thank you. Good to be with you.

BLITZER: Let's talk a little bit about the aftermath of those terrorist attacks against the hotels in Amm November.

In February, the New York Times Magazine wrote this, printed this: "Jordan is home to many jihadis, much the same milieu that produced Abu Musab al-Zarqawi and especially since the United States in three years ago, Jordan has increasingly become a not-so-quiet place, a place where local Islamists Iraq and back, a place where a jihadist underground can feel almost a normal part of a nation's life."

How bad is the terror threat facing Jordan right now?

KHATIB: Well, in many Muslim countries, there have been young people recruited by extreme group Jordan is a unique case but I think that the number of people who are being recruited is getting less think that Jordan is doing a very good job protecting its border with Iraq.

I think that the explosions were shocking for the average Jordanian and I can say that the Jordanians security levels are more vigilant and there is a very strong drive against any terrorist activity in Jordar the ability of these groups to recruit Jordanians is reduced tremendously.

BLITZER: It seems that Abu Musab al-Zarqawi, who himself is a Jordanian, has a special desire to u regime, the kingdom, the Hashemite Kingdom of Jordan.

Is that a fair assumption?

KHATIB: Well, he has not been successful in doing that.

BLITZER: But he's trying to do that.

KHATIB: He tried but he did not find any Jordanian to be recruited by him and to be sent across the b any terrorist activity.

BLITZER: Well, what about the terrorist activities ...

KHATIB: They were carried by non-Jordanians, non-Jordanian elements. Yes.

BLITZER: Non-Jordanians?

KHATIB: Yes.

BLITZER: Who was responsible? KHATIB: I think that the reports by the security agencies indicated -- that Iraqis were sent across the border in that specific instance.

And there is a lady who is jailed and who will be sent to court -- I think she is already before court alr again, Iraqi.

BLITZER: Were they sent by Abu Musab al-Zarqawi?

KHATIB: Yes, that was the case.

BLITZER: Al Qaeda in Iraq? That's the organization.

KHATIB: He was not able to recruit any Jordanians to conduct operations in Jordan for him.

BLITZER: The problem, though, exists...

KHATIB: Yes, of course.

BLITZER: ... because a lot of Americans love to go to Jordan for tourist attractions, beautiful sites. Hc Americans and other foreigners be about visiting Jordan right now?

KHATIB: I think that the record of Jordan is very excellent, and I think that the security agencies in Jo doing a great job. Of course, there is a threat for all of us. Not only in Jordan, throughout the region, a the United States, the security and terror threat exists all the time. But I think that what speaks more i anything else is the security agencies' record and the record of Jordan as a country in combating terr

BLITZER: You obviously are trying to find Abu Musab al-Zarqawi. He is the most wanted terrorist in J someplace in Iraq. Is that fair?

KHATIB: Well, these are the media reports.

BLITZER: What do you think?

KHATIB: I think that he is most likely there and I think that he is being pursued by many, many securi throughout the world.

BLITZER: You'd like to get your hands on him, I'm sure.

Another issue that's come up in recent days is allegations that Hamas was involved in arms smugglir weapons into Jordan, maybe from Syria, maybe someplace else, causing a serious strain in Jordan's the Hamas-led Palestinian Authority. What's the latest information you have on this so-called plot?

KHATIB: There is a delegation from the Palestinian Authority in Jordan today discussing this issue, w to highlight, you know, publicly, because we care about the relations with the Palestinian Authority. W maintain excellent relations with the Palestinian Authority, and we hope that we will be able to do that maintaining our relations with the Palestinian people. It's very important not to allow any infiltration, ar undermine our security, but it's also important for Jordan to maintain excellent relations with the P.A. Palestinian people.

BLITZER: With the Palestinian Authority.

Here's what Sami Abu Zuhri, a Hamas spokesman said on April 19th. "We in Hamas reject and cond accusations. We regret that the Jordanian government has used this to justify the canceling of the vis minister, Mahmoud al-Zahar.

KHATIB: We did not need any justification to cancel any visit, and we have invited a delegation from I government and the security agencies of the P.A. And my understanding is that the government prefe participate in that delegation.

BLITZER: Here is what President Bush says about Hamas and the U.S. refusal to deal with the Pales led by Hamas. Listen to this.

(BEGIN VIDEO CLIP)

BUSH: Hamas has made it clear that they do not acknowledge the right of Israel to exist. And I have so long as that is their policy, we will have no contact with the leaders of Hamas.

Democratically leaders cannot have one foot in the camp of democracy and one foot in the camp of t

(END VIDEO CLIP)

BLITZER: Is that a wise policy for the U.S., the European Union, Israel, to reject any talks, any negoti so long as they don't meet the requirements they put forward, recognized Israel's right to exist and te to all the Oslo, post-Oslo agreements that the former Palestinian Authority accepted with Israel?

KHATIB: You know that the new government has been in office practically for about five or six weeks make a final judgment. But it is our hope that they face up to their responsibilities and act as a goverr huge difference between acting as a resistance or opposition group and acting as a government. The for the welfare of the Palestinian people, for advancing the national cause of the Palestinian people, s they move in the right direction.

BLITZER: Here's what the Israeli prime minister, Ehud Olmert, said the other day about Hamas. Liste

(BEGIN VIDEO CLIP)

EHUD OLMERT, ISRAELI PRIME MINISTER: If they will accept these principles, then of course we a we wait two months, three months, half a year, and we don't see any change, then most likely we are forward without an agreement, without negotiations.

(END VIDEO CLIP)

BLITZER: Now, Jordan, like Egypt, has a peace treaty with Israel. Are you encouraging, pressuring, t government to accept these conditions and accept Israel's right to exist?

KHATIB: It is our strategy in Jordan to move in the direction of achieving comprehensive peace, and peace treaty with Israel as part of the comprehensive peace, and we think that all parties have to go I negotiating table.

We believe that President Abbas is both authorized and willing to move in the direction of conducting Israel, and we hope that the new Israeli government will move in the same direction, because we thin day, we will not be able to end the conflict unless there is a peace agreement, negotiated peace agre the Israelis and the Palestinians.

BLITZER: But do you believe Hamas will accept those conditions? Is that foreseeable?

KHATIB: We hope that all the Palestinian Authority will be moving in that direction, but we know that willing and authorized -- he has been democratically elected with a margin of 62, 64 percent -- and he his willingness lately, repeatedly, but lately that he is willing to engage in direct peace negotiations.

BLITZER: That's President Mahmoud Abbas of the Palestinian Authority ...

KHATIB: And he is authorized ...

BLITZER: But his party, the Fatah, lost. It was Hamas that won.

KHATIB: But he is the authorized leader of the P.A. and of the PLO, and we believe that he is capabl negotiations, because he is empowered by the basic law of the P.A. to conduct negotiations with Isra

BLITZER: And just button up that one loose end that we didn't button up. Did Jordan have evidence t plotting to get weapons into Jordan to use against Jordanians?

KHATIB: Well, there was an attempt to smuggle arms into Jordan, and, as I said, we tried to put the f Palestinian delegation from the security agencies and from the government, and the Hamas governm not to participate in that delegation.

BLITZER: So but you did have evidence ...

KHATIB: Yes. BLITZER: Why would Hamas be trying to undermine the Jordanian government?

KHATIB: This is what we intended to discuss with the joint delegation from the security and the politic the Palestinian government.

BLITZER: Ehud Olmert, the prime minister of Israel, says that if the Hamas government doesn't acce conditions, then Israel will take unilateral action on the West Bank. Let me read to you what he said c

"In the coming period, we will move to set the final borders of the state of Israel, a Jewish state with a We will try to achieve this in an agreement with the Palestinians. If not, Israel will take control of its o consensus among our people and with the agreement of our friends in the world, especially U.S. Pre: Bush, we will act."

Is that wise for Israel to take unilateral action, withdrawing from parts of the West Bank?

KHATIB: As I said earlier, peace has to be negotiated between the two parties, and an agreement ha between the two parties. And the aim of the peace process should be ending the conflict. And I don't be able to end the conflict unless there is an acceptable agreement negotiated between the Palestini. Israelis.

BLITZER: So you would oppose unilateral Israeli withdrawal.

KHATIB: We will definitely push in the direction of conducting peace negotiations leading to a peace Israelis and the Palestinians that will allow for the establishment of a Palestinian state, because this i: prerequisite for achieving lasting peace in the Middle East.

BLITZER: But what if Hamas continues to refuse the conditions?

KHATIB: We think that the vast majority of the Palestinians are still in favor of a negotiated peace tha establishing a Palestinian state.

BLITZER: The prime minister of the Palestinian Authority, Ismail Haniyeh, said this in the "Washingto day.

"If the siege continues, the whole authority will be facing collapse, and if there is a collapse, there will region."

Clearly, Jordan's interests are at stake right now as well.

KHATIB: Well, everybody's interests are at stake, and Jordan is very, very close to the conflict, and w whatever happens between the Israelis and the Palestinians. And this is why it is the responsibility of and protect and maintain the P.A. And let's not forget that the P.A. was created by the peace process international community, and we should not allow for its collapse.

BLITZER: You have a long border with Iraq.

KHATIB: Yes.

BLITZER: Clearly, you have a lot of interests there as well. Do you believe there will be a stable Iraqi emerges in the coming days or weeks that unifies the Shia, the Sunni and the Kurdish communities c

KHATIB: It will take a huge effort, but definitely it is our hope that there will be a national unity govern able to put Iraq on the right track, to be gaining its stability and to be reintegrated again in the region, role.

BLITZER: How ...

KHATIB: Iraq is a very important country in balancing the situation in the region.

BLITZER: How worried are you that Iraq in the end will emerge as a Shiite-led, pro-Iranian regime wil influence from Iran in Iraq?

KHATIB: It's very important for everybody in the region, including Iran, to have a sovereign, independ Iraq.

BLITZER: Are you worried, though, about Iran's emerging influence in Iraq?

KHATIB: We hope that all surrounding countries will cease any interference in the internal situation o

BLITZER: The president of Iran, Mahmoud Ahmadinejad, sent a letter this week to President Bush, ir this, "Liberalism and Western style democracy have not been able to help realize the ideals of humar two concepts have failed."

What do you say to President Ahmadinejad?

KHATIB: Well, I say that the region is suffering from very heavy pressure emanating from the questio Palestinian- Israeli conflict and the situation in Iraq. We don't need another crisis, so we are pushing t diplomatic solution for the crisis regarding the weapons of mass destruction and the nuclear file (ph) i

BLITZER: Does Jordan have a good relationship with Iran?

KHATIB: We have a normal relation, but Iran is a part of the region, an important part of the region. A prefer to see a diplomatic solution negotiated between the parties.

BLITZER: One final question, Mr. Foreign Minister, before I let you go: Is the region better off or wors U.S.-led invasion, three years ago, of Iraq?

KHATIB: Well, if we succeed to balance the situation in Iraq and if we succeed in maintaining the inte integrity of Iraq then we need to be moving forward to reform the situation in the whole region and to economic and the political situation in the region.

BLITZER: So -- but you're basically saying is it's still an open question?

KHATIB: It's an open question and the challenge is to stabilize Iraq and to maintain the territorial inte

BLITZER: Foreign Minister, as I said, welcome to Washington. Good to have you on "Late Edition."

KHATIB: Thank you. Thank you, Wolf.

(END VIDEOTAPE)

BLITZER: Up next, the results of our web question of the week, "Does it bother you if the U.S. goverr on your phone calls?"

Plus, in case you missed it, Sunday morning talk show roundup.

And for our North American viewers coming up right at the top of the hour, CNN reporters are "On the national security correspondent, David Ensor, on the domestic spying fall-out. You'll want to stick aro the Story with Ali Velshi," right at the top of the hour.

(COMMERCIAL BREAK)

BLITZER: And now, in case you missed it, let's check some of the highlights from the other Sunday t the United States. On all of them, the controversy over the federal government's monitoring of Americ was a key topic.

(BEGIN VIDEO CLIP)

LAURA BUSH, FIRST LADY OF THE UNITED STATES: It's a very interesting conversation that we'r the United States about this right now because, if the intelligence activities had not been authorized b within the law as they are and we had a terrorist attack, people would -- the question would be the op haven't you been trying to track Al Qaida or links to Al Qaida in the United States?

(END VIDEO CLIP)

(BEGIN VIDEO CLIP)

SEN. JOSEPH BIDEN (D-DE) JUDICIARY COMMITTEE: Technology has probably gone beyond the existing laws. And this administration has a pattern of excess. Rather than come to us and tell us hov to provide for them being able to do what they want to do, is they go ahead and just go ahead withou congressional oversight.

(END VIDEO CLIP)

(BEGIN VIDEO CLIP)

NEWT GINGRICH, FMR. SPEAKER OF THE HOUSE: Just look at the specifics of what have they're legal. The real problem is, the Bush administration refuses to come up front and explain it in advance

If you go to the American people and say, we're in a long war with a irreconcilable wing of Islam. The want to kill millions of us. Your government has to have an ability to track these people down.

(END VIDEO CLIP)

(BEGIN VIDEO CLIP)

REP. JANE HARMAN (D-CA) INTELLIGENCE COMMITTEE: I think the administration is breaking th rationale that it offers, I think, is extremely shaky.

To this White House, the Constitution starts with Article Two, which is the power of the executive. The One totally. That's the legislature. And Article Three is the courts.

(END VIDEO CLIP)

BLITZER: Highlights from some of the other Sunday morning talk shows here in the United States. H Edition," the last word in Sunday talk.

Our "Late Edition" Web question asked, "Does it bother you if the U.S. government collects data on y

Check out your answers: 78 percent of you said yes; 22 percent said no. Remember, this is not a sci

And that's your "Late Edition for this Sunday, May 14." Please be sure to join me next Sunday and ev 11:00 a.m. Eastern for the last word in Sunday talk.

I'm in "The Situation Room" tomorrow night, 7:00 p.m. Eastern for our special coverage of President I speech on immigration reform.

My colleague Lou Dobbs will be joining us right after the president's speech, a special edition of "Lou 8:30 p.m. Eastern. Thanks very much for joining us. "On the Story" is next. Happy Mother's Day to all there, including my mom and my wife Lynn.

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BellSouth Statement on Governmental Data Collection

ATLANTA, May 15 /PRNewswire/ -- The following statement regarding media reports about U.S. governmental agency data collection may be attributed to BellSouth Corporation (NYSE: BLS):

There has been much speculation in the last several days about the role that BellSouth may have played in efforts by the National Security Agency (NSA) and other governmental agencies to keep our nation safe.

As a result of media reports that BellSouth provided massive amounts of customer calling information under a contract with the NSA, the Company conducted an internal review to determine the facts. Based on our review to date, we have confirmed no such contract exists and we have not provided bulk customer calling records to the NSA.

BellSouth has built a successful business because of the trust that our customers have placed with us. We will continue to take our obligations to our customers seriously.

SOURCE: BellSouth Corporation

CONTACT: Jeff Battcher, Vice President of BellSouth Corporate Communications, +1-404-249-2793

Web site: http://www.bellsouth.com/

Company News On-Call: http://www.prnewswire.com/comp/095650.html

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News Release

Verizon Issues Statement on NSA Media Coverage

May 16, 2006

Media Contact:
Peter Thonis, 212-395-2355

NEW YORK – *Verizon Communications Inc. (NYSE:VZ) today issued the following statement regarding news coverage about the NSA program which the President has acknowledged authorizing against al-Qaeda:*

As the President has made clear, the NSA program he acknowledged authorizing against al-Qaeda is highly-classified. Verizon cannot and will not comment on the program. Verizon cannot and will not confirm or deny whether it has any relationship to it.

That said, media reports made claims about Verizon that are simply false.

One of the most glaring and repeated falsehoods in the media reporting is the assertion that, in the aftermath of the 9/11 attacks, Verizon was approached by NSA and entered into an arrangement to provide the NSA with data from its customers' domestic calls.

This is false. From the time of the 9/11 attacks until just four months ago, Verizon had three major businesses - its wireline phone business, its wireless company and its directory publishing business. It also had its own Internet Service Provider and long-distance businesses. Contrary to the media reports, Verizon was not asked by NSA to provide, nor did Verizon provide, customer phone records from any of these businesses, or any call data from those records. None of these companies - wireless or wireline - provided customer records or call data.

Another error is the claim that data on local calls is being turned over to NSA and that simple "calls across town" are being "tracked." In fact, phone companies do not even make records of local calls in most cases because the vast majority of customers are not billed per call for local calls. In any event, the claim is just wrong. As stated above, Verizon's wireless and wireline companies did not provide to NSA customer records or call data, local or otherwise.

Again, Verizon cannot and will not confirm or deny whether it has any relationship to the classified NSA program. Verizon always stands ready, however, to help protect the country from terrorist attack. We owe this duty to our fellow citizens. We also have a duty, that we have always fulfilled, to protect the privacy of our customers. The two are not in conflict. When asked for help, we will always make sure that any assistance is authorized by law and that our customers' privacy is safeguarded.

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Verizon says it isn't giving call records to NSA

Updated 5/16/2006 11:43 PM ET
By Jim Drinkard, USA TODAY

Verizon said in a statement Tuesday that it is not providing customer calling information to the National Security Agency.

"One of the most glaring and repeated falsehoods in the media reporting," the statement said, "is the assertion that, in the aftermath of the 9/11 attacks, Verizon was approached by NSA and entered into an arrangement to provide the NSA with data from its customers' domestic calls. This is false."

Last Thursday, USA TODAY reported that the NSA has been secretly collecting the phone call records of tens of millions of Americans, using data provided by AT&T, BellSouth and Verizon, citing people with direct knowledge of the program.

Long-distance calls placed by BellSouth and Verizon subscribers can traverse the networks of other carriers who collect a variety of information for billing purposes. Verizon's statement leaves open the possibility that the NSA directed its requests to long-distance companies, or that call data was collected by means other than Verizon handing them over, the Associated Press reported Tuesday.

On Monday, BellSouth denied providing records to the NSA. AT&T has refused to confirm or deny that it gave records to the NSA. One of the nation's major telecommunication companies, Qwest, declined to participate in the NSA program, the story said, a fact confirmed Friday by Herbert Stern, the lawyer for former Qwest CEO Joe Nacchio.

For the initial story, Verizon issued a statement saying, "We do not comment on national security matters, we act in full compliance with the law and we are committed to safeguarding our customers' privacy."

Since then, the three companies named in the story have been named in a lawsuit seeking $200 billion in damages. The lawsuit filed in U.S. District Court in Manhattan claims the companies violated telecommunications law and the Constitution by allowing the government to have call information.

In response to the Verizon statement, Steve Anderson, USA TODAY's director of communications, said: "We will continue to investigate and pursue the story. We're confident in our coverage of the phone database story. We will look closely into the issues raised by the BellSouth and Verizon statements."

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Verizon's statement does not mention MCI, the long-distance carrier the company bought in January. Before the sale, Verizon sold long-distance under its own brand. Asked to elaborate on what role MCI had, or is having, in the NSA program, spokesman Peter Thonis said the statement was about Verizon, not MCI.

Asked whether Verizon's customer calling records are in the NSA database, Thonis said, "I just don't know the answer to that."

On whether BellSouth's customer records are in the National Security Agency's database, Jeff Battcher, a company spokesman, said: "We're not aware of any database that NSA has, so we're not aware of our customer information being there at all."

The third company, AT&T, said last week that it would help government efforts only within the limits of the law. On Tuesday, company spokesman Michael Coe said AT&T had no additional comment.

Asked about the denials, Sen. Patrick Leahy of Vermont, the senior Democrat on the Senate Judiciary Committee, noted that telephone company executives will be called before the panel for a hearing. "We'll ask them under oath," he said.

"The thing that concerns me is some (companies) said yes and some said no" when asked to participate. "If the government really thought this was legal and necessary, why let some say yes and some say no? It's either legal and necessary, or it's not."

At the White House, President Bush renewed his defense of telephone surveillance in answer to a question about whether Americans might feel that their privacy is being invaded.

BUSH: Surveillance legal

The government's effort is to "connect dots to protect the American people, within the law," he said. "The program ... is one that has been fully briefed to members of the United States Congress, in both political parties."

Afterward, White House press secretary Tony Snow denied that Bush's answer amounted to a confirmation of the reported database project. "He was not giving a back-handed confirmation," Snow said. "But I would direct you back to the USA TODAY story itself. It said there is no wiretapping of individual calls, there is no personal information that is being relayed."

At the same time, the chairmen of the House and Senate intelligence committees announced that all members of the two panels would receive briefings on the NSA's Terrorist Surveillance Program.

Bush's nominee to head the Central Intelligence Agency, Air Force Gen. Michael Hayden, is scheduled to go before the Senate panel for a confirmation hearing on Thursday. Hayden headed the NSA when the program was conceived and implemented after the Sept. 11, 2001, terrorist attacks.

"It became apparent that all members of my committee needed to know the full width and breadth of the president's program" said Senate Intelligence Committee Chairman Pat Roberts, R-Kan. "This issue will be central to the committee's deliberations on Gen. Hayden's nomination."

Contributing: Leslie Cauley in New York; John Diamond and Kathy Kiely in Washington; wire reports

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EXHIBIT T

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HEADLINE: Senate Intelligence Chair Readies for Hayden Hearings

ANCHORS: MICHELE NORRIS, MELISSA BLOCK

BODY:

MICHELE NORRIS, host:

From NPR News this is ALL THINGS CONSIDERED. I'm Michele Norris.

MELISSA BLOCK, host:

And I'm Melissa Block.

Tomorrow the Senate Intelligence Committee will take up the nomination of General Michael Hayden to head the CIA. And he's sure to face many questions about domestic monitoring programs put in place when he headed the National Security Agency. Senator Pat Roberts, Republican of Kansas, chairs the Intelligence Committee and he'll be chairing tomorrow's hearing.

Senator Roberts, welcome.

Senator PAT ROBERTS (Republican, Kansas): Thank you very much. My privilege.

BLOCK: You've been in a closed door briefing today about those NSA monitoring activities. I wonder if you've gotten any new information. Anything you didn't know before?

Senator ROBERTS: Well, number one I would call it a surveillance capability. I don't want to get real picky with words, but --

BLOCK: You don't like the word monitoring?

Senator ROBERTS: Well, if you say monitoring that gives the impression that the government is actually listening to the content of the calls and that's not correct. If you do that in terms of a phone call from a U.S. phone number to the U.S. you have to get a court order and all of that, so.

At any rate, I think our briefing went very well. As you may know, originally we started out with only two members of the Intelligence Committee on the House and Senate and the leadership. That was called a gang of eight. And that was done for years and years and years.

We do now have a very different situation with the terrorist war and the terrorist threat that is ongoing. And we have a very capable system that is able to detect and deter and stop these terrorist attacks. And so consequently, we felt it was important we move from two to five to seven. We had a subcommittee that was scrutinizing this program and doing oversight.

It was my feeling that it was very important to expand that to the full committee so that we could tell the American public yes, we're doing our oversight. Yes, we're doing our constitutional responsibility. Yes, we are scrutinizing the program.

BLOCK: Let me clarify, because it seems we're talking about two different programs. One of which does involve monitoring. It involves domestic calls to numbers overseas back and forth. The other has to do with the collection of phone records, which did not involve monitoring.

Regardless, I wanted to ask you about a comment from your colleague Republican Senator Arlen Specter, who made the point over the weekend that there has been no meaningful Congressional oversight of these programs. Do you agree?

Senator ROBERTS: No, I don't. Arlen has not been read into the operational details of the program. I have ever since the inception of the program, along with Senator Rockefeller and along with our two counterparts in the House and along with the leadership. If you attend these briefings, and there have been many of them, and you ask tough questions and you get the answers that you want back, or if you don't, you go back and you ask another question and you make sure of it, I don't know what part of oversight that is not.

Basically, that was expanded so that we had a seven member subcommittee. We've had, what, three or four hearings, numerous briefings. We've actually gone out and seen the program at work. We visited with the people who run it. I don't know of any program that is more scrutinized than this one, so we have had oversight. Senator Specter has not been read into the operational details and so I think that is his concern.

BLOCK: You're saying that you are read into it. I'm curious then if you're saying that you have had oversight directly of the program as has been reported, under which the NSA has collected millions of phone records of domestic calls.

Senator ROBERTS: Well, basically, if you want to get into that, we're talking about business records. We're not, you know, we're not listening to anybody. This isn't a situation where if I call you, you call me, or if I call home or whatever, that that conversation is being listened to.

BLOCK: But those records are being kept and turned over to the government?

Senator ROBERTS: I really can't comment on the details of the program. I can just tell you that basically what we have is a very highly minimized military capability to detect and deter and stop terrorist attacks and that's precisely what it does. My worry is with all of the leaks and all the misinformation about the program, some of which I really can't set the record straight or where I can't set the record straight because it is classified, really worries me.

We could lose this program. The fact that we have not had a major attack since 9/11 and the fact we've been able to stop attacks I think is very significant. And we could lose the program. And I think America would be less safe.

BLOCK: I'd like to ask you a question about the legality here. In your view is basic phone information, in other words, the phone numbers that I've dialed from my telephone at home to somebody else in the United States, is that protected? Or does the government have a right to know about that without a warrant?

Senator ROBERTS: All right. We've got a Smith vs. Maryland Supreme Court case indicating that it should come as no surprise that law enforcement officials and intelligence analysts use what's called business records to prosecute crime or to try to protect the country from terrorists. We do that with child pornographers, with, you know, drug dealers, with the mafia and with terrorists.

And the Supreme Court held that those records do not come under the protection of the Fourth Amendment, which is the civil liberties provision. What we did today by adding in the eight members of the committee, that means 15 members on the Senate side and I think they have over 20 on the House side, plus the leadership.

We have a much greater number of members who are now fully briefed into the operational details of the program. If they have any questions about the legality of the program, obviously they will be asking those questions. I was satisfied from the first that the president does have that authority under his executive ability to protect the nation during a time of national security, a threat to our national security.

BLOCK: But Senator Roberts, you know it's a very different thing to say it's ok to monitor one guy whom we suspect of child pornography, it's another thing to do a blanket search or data mining of millions and millions of people.

Senator ROBERTS: Oh, we're not data mining and I can't really get into the specifics of what the program is about and that's what you're trying to get me to do and it's classified and I don't, I trust the American people. I would like to make every aspect of this program public to the American people, but when you do that, it is no longer classified and you're making it public to al- Qaida. And that's something we can't do.

If you're going, you have to balance basically national security against civil liberties and what we stand for. Now, I'm an old journalist or an old newspaper man. I strongly believe in the First Amendment and I certainly believe in the Fourth Amendment.

But the way the program works, I can't comment on that. I can't comment on the accuracy in regards to the articles in the New York Times or the USA Today. But I can tell you that I do believe the program is legal. I do believe that the president does have the authority to act in this particular case to protect our national security and I do think there is, there are quite a few legal precedents. I don't want to get into citing all those for the listeners. That would take, you know, much too much time.

BLOCK: Let me ask you briefly, when General Hayden comes before you committee tomorrow for a confirmation hearing, do you feel, going into that hearing, that he's the right man for the job, to head the CIA?

Senator ROBERTS: Well, I think you're really starting to focus on what we ought to be focusing on, the committee, as opposed to the capability we have to stop terrorists. And that is basically, is he qualified? Does he have the experience? When he goes to the CIA, if he is confirmed, will he be able to continue to make the transitional changes that we need to make in the intelligence community, more especially in the CIA, without really becoming an enemy of the institution?

And there are a lot of aspects to that. I don't know of anybody that has more professional experience in intelligence in the Washington area than General Hayden.

BLOCK: Senator Pat Roberts, Republican of Kansas, is Chairman of Senate Intelligence committee.

LOAD-DATE: May 18, 2006

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by Seymour M. Hersh

Issue of 2006-05-29
Posted 2006-05-22

A few days before the start of the confirmation hearings for General Michael Hayden, who has been nominated by President Bush to be the head of the C.I.A., I spoke to an official of the National Securi Agency who recently retired. The official joined the N.S.A. in the mid-nineteen-seventies, soon after contentious congressional hearings that redefined the relationship between national security and the public's right to privacy. The hearings, which revealed that, among other abuses, the N.S.A. had illegally intercepted telegrams to and from the United States, led to the passage of the 1978 Foreign Intelligence Surveillance Act, or FISA, to protect citizens from unlawful surveillance. "When I first car in, I heard from all my elders that 'we'll never be able to collect intelligence again,'" the former offici said. "They'd whine, 'Why do we have to report to oversight committees?' " But, over the next few years, he told me, the agency did find a way to operate within the law. "We built a system that protect national security and left people able to go home at night without worrying whether what they did that day was appropriate or legal."

After the attacks of September 11, 2001, it was clear that the intelligence community needed to get mc aggressive and improve its performance. The Administration, deciding on a quick fix, returned to the tactic that got intelligence agencies in trouble thirty years ago: intercepting large numbers of electroni communications made by Americans. The N.S.A.'s carefully constructed rules were set aside.

Last December, the *Times* reported that the N.S.A. was listening in on calls between people in the United States and people in other countries, and a few weeks ago *USA Today* reported that the agency was collecting information on millions of private domestic calls. A security consultant working with a major telecommunications carrier told me that his client set up a top-secret high-speed circuit between its main computer complex and Quantico, Virginia, the site of a government-intelligence computer center. This link provided direct access to the carrier's network core—the critical area of its system, where all its data are stored. "What the companies are doing is worse than turning over records," the consultant said. "They're providing total access to all the data."

"This is not about getting a cardboard box of monthly phone bills in alphabetical order," a former seni intelligence official said. The Administration's goal after September 11th was to find suspected terrorists and target them for capture or, in some cases, air strikes. "The N.S.A. is getting real-time actionable intelligence," the former official said.

The N.S.A. also programmed computers to map the connections between telephone numbers in the United States and suspect numbers abroad, sometimes focussing on a geographic area, rather than on a specific person—for example, a region of Pakistan. Such calls often triggered a process, known as "chaining," in which subsequent calls to and from the American number were monitored and linked. The way it worked, one high-level Bush Administration intelligence official told me, was for the agen "to take the first number out to two, three, or more levels of separation, and see if one of them comes back"—if, say, someone down the chain was also calling the original, suspect number. As the chain grew longer, more and more Americans inevitably were drawn in.

FISA requires the government to get a warrant from a special court if it wants to eavesdrop on calls ma or received by Americans. (It is generally legal for the government to wiretap a call if it is purely foreign.) The legal implications of chaining are less clear. Two people who worked on the N.S.A. call-tracking program told me they believed that, in its early stages, it did not violate the law. "We were not listening to an individual's conversation," a defense contractor said. "We were gathering data on the incidence of calls made to and from his phone by people associated with him and others." Similarly, the Administration intelligence official said that no warrant was needed, because "there's no personal identifier involved, other than the metadata from a call being placed."

But the point, obviously, was to identify terrorists. "After you hit something, you have to figure out what to do with it," the Administration intelligence official told me. The next step, theoretically, could have been to get a suspect's name and go to the FISA court for a warrant to listen in. One problem, however, was the volume and the ambiguity of the data that had already been generated. ("There's too many calls and not enough judges in the world," the former senior intelligence official said.) The agency would also have had to reveal how far it had gone, and how many Americans were involved. And there was a risk that the court could shut down the program.

Instead, the N.S.A. began, in some cases, to eavesdrop on callers (often using computers to listen for key words) or to investigate them using traditional police methods. A government consultant told me that tens of thousands of Americans had had their calls monitored in one way or the other. "In the old days, you needed probable cause to listen in," the consultant explained. "But you could not listen in to generate probable cause. What they're doing is a violation of the spirit of the law." One C.I.A. officer told me that the Administration, by not approaching the FISA court early on, had made it much harder to go to the court later.

The Administration intelligence official acknowledged that the implications of the program had not been fully thought out. "There's a lot that needs to be looked at," he said. "We are in a technology age. We need to tweak FISA, and we need to reconsider how we handle privacy issues."

Marc Rotenberg, the executive director of the Electronic Privacy Information Center, believes that if the White House had gone to Congress after September 11th and asked for the necessary changes in FISA "it would have got them." He told me, "The N.S.A. had a lot of latitude under FISA to get the data it needed. I think the White House purposefully ignored the law, because the President did not want to do the monitoring under FISA. There is a strong commitment inside the intelligence community to obey the law, and the community is getting dragged into the mud on this."

General Hayden, who as the head of the N.S.A. supervised the intercept program, is seen by many as a competent professional who was too quick to follow orders without asking enough questions. As one senior congressional staff aide said, "The concern is that the Administration says, 'We're going to do this,' and he does it—even if he knows better." Former Democratic Senator Bob Kerrey, who was a member of the 9/11 Commission, had a harsher assessment. Kerrey criticized Hayden for his suggestion, after the *Times* exposé, that the N.S.A.'s wiretap program could have prevented the attacks of 9/11. "That's patently false and an indication that he's willing to politicize intelligence and use false information to help the President," Kerrey said.

Hayden's public confirmation hearing last week before the Senate Intelligence Committee was unlike the tough-minded House and Senate investigations of three decades ago, and added little to what is known about the wiretap program. One unexamined issue was the effectiveness of the N.S.A. program. "The vast majority of what we did with the intelligence was ill-focussed and not productive," a Pentagon consultant told me. "It's intelligence in real time, but you have to know where you're looking and what you're after."

On May 11th, President Bush, responding to the *USA Today* story, said, "If Al Qaeda or their associates are making calls into the United States, or out of the United States, we want to know what they are saying." That is valid, and a well-conceived, properly supervised intercept program would be an important asset. "Nobody disputes the value of the tool," the former senior intelligence official told me. "It's the unresolved tension between the operators saying, 'Here's what we can build,' and the legal people saying, 'Just because you can build it doesn't mean you can use it.' " It's a tension that the President and his advisers have not even begun to come to terms with.

EXHIBIT V

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Lawmakers: NSA database incomplete

Updated 6/30/2006 8:51 AM ET

A NOTE TO OUR READERS

On May 11, USA TODAY reported that the National Security Agency, with the cooperation of several of America's leading telecommunications companies, had compiled a database of domestic phone call records in an effort to monitor terrorist activity.

Several days later, BellSouth and Verizon specifically denied that they were among the companies that had contracted with the NSA to provide bulk calling records.

The denial was unexpected. USA TODAY had spoken with BellSouth and Verizon for several weeks about the substance of the report. The day before the article was published, the reporter read the sections of the article concerning BellSouth and Verizon to representatives of the companies and asked for a denial before publication.

At the time, BellSouth did not deny participation in the program, but it issued a statement saying the company "does not provide any confidential customer information to the NSA or any government agency without proper legal authority." Verizon said that it would not comment on national security matters and that it acts "in full compliance with the law" and with respect for customers' privacy.

On May 15, BellSouth said it could not categorically deny participation in the program until it had conducted a detailed investigation. BellSouth said that internal review concluded that the company did not contract with the NSA or turn over calling records.

USA TODAY continued to pursue details of the database, speaking with dozens of sources in the telecommunications, intelligence and legislative communities, including interviews with members of Congress who have been

WASHINGTON — Members of the House and Senate intelligence committees confirm that the National Security Agency has compiled a massive database of domestic phone call records. But some lawmakers also say that cooperation by the nation's telecommunication companies was not as extensive as first reported by USA TODAY on May 11.

Several lawmakers, briefed in secret by intelligence officials about the program after the story was published, described a call records database that is enormous but incomplete. Most asked that they not be identified by name, and many offered only limited responses to questions, citing national security concerns.

In the May 11 article that revealed the database, USA TODAY reported that its sources said AT&T, BellSouth and Verizon had agreed to provide the NSA with call records.

AT&T, which is the nation's largest telecommunications company, providing service to tens of millions of Americans, hasn't confirmed or denied its participation with the database. BellSouth and Verizon have denied that they contracted with the NSA to turn over phone records. On May 12, an attorney for former Qwest CEO Joseph Nacchio confirmed the USA TODAY report that Qwest had declined to participate in the NSA program.

Most members of the intelligence committees wouldn't discuss which companies cooperated with the NSA. However, several did offer more information about the program's breadth and scope, confirming some elements of USA TODAY's report and contradicting others:

• Nineteen lawmakers who had been briefed on the program verified that the NSA has built a database that includes records of Americans' domestic phone calls. The program collected records of the numbers dialed and the length of calls, sources have said, but did not involve listening to the calls or recording

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briefed by senior intelligence officials on the domestic calls program.

In the adjoining article, USA TODAY reports that five members of the congressional intelligence committees said they had been told in secret briefings that BellSouth did not turn over call records to the NSA, three lawmakers said they had been told that Verizon had not participated in the NSA database, and four said that Verizon's subsidiary MCI did turn over records to the NSA.

USA TODAY also spoke again with the sources who had originally provided information about the scope and contents of the domestic calls database. All said the published report accurately reflected their knowledge and understanding of the NSA program, but none could document a contractual relationship between BellSouth or Verizon and the NSA, or that the companies turned over bulk calling records to the NSA.

Based on its reporting after the May 11 article, USA TODAY has now concluded that while the NSA has built a massive domestic calls record database involving the domestic call records of telecommunications companies, the newspaper cannot confirm that BellSouth or Verizon contracted with the NSA to provide bulk calling records to that database.

USA TODAY will continue to report on the contents and scope of the database as part of its ongoing coverage of national security and domestic surveillance.

HOW PHONE COMPANIES MOVE CALLS AROUND THE COUNTRY

their content.

• Five members of the intelligence committees said they were told by senior intelligence officials that AT&T participated in the NSA domestic calls program.

AT&T, asked to comment, issued a written statement Thursday. "The U.S. Department of Justice has stated that AT&T may neither confirm nor deny AT&T's participation in the alleged NSA program because doing so would cause 'exceptionally grave harm to national security' and would violate both civil and criminal statutes," it said. "Under these circumstances, AT&T is not able to respond to such allegations."

• Five members of the intelligence committees said they were told that BellSouth did not turn over domestic call records to the NSA.

Asked about BellSouth's denial, Sen. Saxby Chambliss, R-Ga., a member of the Senate Intelligence Committee, said, "What they said appears to be accurate."

Still, BellSouth customers' call records could end up in the NSA database, he said. "Obviously, a BellSouth customer can contract with AT&T (for long-distance phone service). There is a possibility that numbers are available from other phone companies."

• Three lawmakers said that they had been told that Verizon did not turn over call records to the NSA. However, those three and another lawmaker said MCI, the long-distance carrier that Verizon acquired in January, did provide call records to the government.

While Verizon has denied providing call records to the NSA, it has declined to comment on whether MCI participated in the calls database program.

"The President has referred to an NSA program, which he authorized, directed against al-Qaeda," Verizon said in a written statement May 12. "Because that program is highly classified, Verizon cannot comment on that program, nor can we confirm or deny whether we have had any relationship to it." The statement also said the company was now "ensuring that Verizon's policies are implemented at that entity (MCI) and that all its activities fully comply with law."

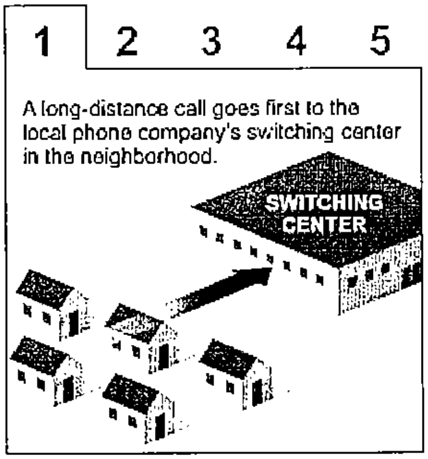
In the weeks since the database was revealed, congressional and intelligence sources have offered other new details about its scope and effectiveness.

"It was not cross-city calls. It was not mom-and-pop calls," said Sen. Ted Stevens, R-Alaska, who receives briefings as chairman of the Senate Appropriations Defense subcommittee. "It was long-distance. It was targeted on (geographic) areas of interest, places to which calls were believed to have come from al-Qaeda affiliates and from which calls were made to al-Qaeda

Phone companies handle billions of calls a day, routing them to and from local and long-distance networks.

What local and long-distance companies do

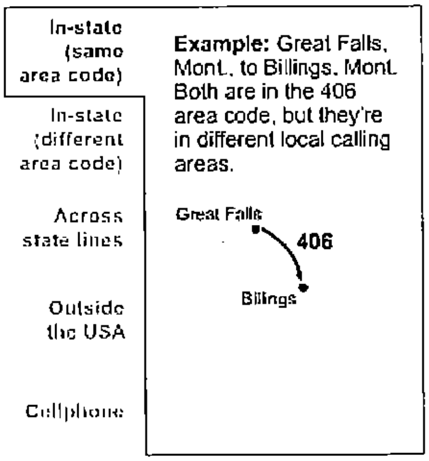
- **LOCAL**
  A local call is relayed to the local phone company's switching center and then sent to the person being called in the local area.
- **LONG-DISTANCE**



1 2 3 4 5
A long-distance call goes first to the local phone company's switching center in the neighborhood.
SWITCHING CENTER

What is a long-distance call?

Long-distance carriers handle calls that cross two or more local calling areas, sometimes even when the calling areas fall within the same local phone company's service territory. Types of calls phone customers might make that would be handled by their long-distance carrier:



In-state (same area code)
In-state (different area code)
Across state lines
Outside the USA
Cellphone
Example: Great Falls, Mont. to Billings, Mont. Both are in the 406 area code, but they're in different local calling areas.
Great Falls
406
Billings

Sources: Yankee Group, Telegeography, Bell Labs

By Ron Coddington, Marcy E. Mullins and Julie Snider, USA TODAY

affiliates."

Other lawmakers who were briefed about the program expressed concerns that gaps in the database could undercut its usefulness in identifying terrorist cells.

"It's difficult to say you're covering all terrorist activity in the United States if you don't have all the (phone) numbers," Chambliss said. "It probably would be better to have records of every telephone company."

"The database is not complete," said another lawmaker who was briefed on the program, speaking on condition of anonymity because the information is classified. "We don't know if this works yet."

Other publications have characterized the breadth of the database and how it is used.

The New York Times reported on May 12, for instance, that a senior government official had confirmed that the NSA had access to records of most telephone calls in the USA but said the records are used in a limited way to track "known bad guys."

The Washington Post reported on May 12 that "sources with knowledge of the program" said that the Bush administration had been collecting the domestic telephone records in "gargantuan databases" and that the "companies cooperating with the NSA dominate the U.S. telecommunications market and connect hundreds of billions of telephone calls each year."

President Bush and his top aides have defended the legality of the program, although they haven't directly confirmed its existence.

Three days after the USA TODAY story was published, national security adviser Stephen Hadley said on CBS' *Face the Nation* that he couldn't "confirm or deny the claims that are in the USA TODAY story."

He went on: "But it's very interesting what that story does not claim. It does not claim that the government was listening on domestic phone calls. It does not claim that names were passed, that addresses were passed, that content was passed. It's really about calling records, if you read the story. ... There are a variety of ways in which those records lawfully can be provided to the government."

At a news conference two weeks later, Attorney General Alberto Gonzales made a similar point. "There has been no confirmation about any details relating to the USA TODAY story," he said. "I will say that what was in the USA TODAY story did relate to business records." Citing a 1979 Supreme Court decision, he said, "There is no reasonable expectation of privacy in those kinds of records."

Lawmakers who were briefed about the program disagree about whether it's legal.

"It was within the president's inherent powers," said Sen. Orrin Hatch, R-Utah, a member of the Senate Intelligence Committee.

Rep. Anna Eshoo, D-Calif., a member of the House Intelligence Committee, said there was a "schizophrenia in the presentation" by the administration. Officials say, " 'It's legal,' " she said. "But in the same breath they say, 'Perhaps we should take another look at FISA.' " FISA refers to the 1978 Foreign Intelligence Surveillance Act, which established a secret court that can grant warrants for eavesdropping.

Rep. Rush Holt, D-N.J., another member of the House Intelligence Committee, said, "I find it interesting that it seems the government is asking telephone companies to do things that their customers and shareholders would find totally unpalatable."

Debate over the database continues in several areas:

• In federal courts, at least 20 class-action lawsuits have been filed alleging that the government and phone companies have violated the rights of people whose calls have been reviewed by the NSA. The Justice Department signaled its intention in a court filing in Chicago this month to assert the "military and state secrets privilege" in all of them. That privilege allows the government to seek the dismissal of lawsuits if pursuing them would imperil national security.

• In New Jersey, the state attorney general is investigating whether telephone companies released confidential information without the consent of their customers. The federal government asked a court this month to quash subpoenas the state had issued to phone companies seeking information.

• At the Federal Communications Commission, the American Civil Liberties Union requested this month that approval of AT&T's acquisition of BellSouth be withheld until the commission reviews the companies' dealings with the NSA. However, FCC Chairman Kevin Martin said last month that the commission couldn't investigate complaints about the phone companies and the NSA because the reported activities were classified.

• On Capitol Hill, Vice President Cheney held private talks this month with Republicans on the Senate Judiciary Committee. Cheney discouraged them from supporting Judiciary Chairman Arlen Specter's vow to call telecommunications executives before the panel to answer questions about the database. Specter, R-Pa., protested to Cheney in an angry public letter.

The White House then agreed to talks with Specter on legislation he has drafted that would give the administration the option of putting the NSA's warrantless-surveillance program — which includes domestic wiretapping without a court warrant when one participant in a conversation is overseas — under the scrutiny of the FISA court.

"I'm prepared to defer, on a temporary basis, calling in the telephone companies," Specter said. If the discussions on his legislation fall through, however, he said, he will move again to demand testimony from the telephone executives about the database.

This story was reported by Leslie Cauley, John Diamond, Jim Drinkard, Peter Eisler, Thomas Frank, Kevin Johnson and Susan Page. It was written by Page.

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Updated 6/30/2006 8:51 AM ET

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EXHIBIT W

CBS NEWS BACK | PRINT

Congress To Be Briefed On NSA

NEW YORK, May 16, 2006

(CBS/AP) The Bush administration will brief the full House and Senate Intelligence Committees in Congress on the National Security Agency's controversial surveillance activities, reversing course after five months.

The sessions scheduled for Wednesday afternoon on Capitol Hill were to be led by the NSA's director, Lt. Gen. Keith B. Alexander, and were sure to focus on the ultra-secret agency's efforts to monitor domestic calls when one party is overseas and suspected of terrorism, as well as the agency's efforts to collect records on ordinary Americans' calls.

The briefings were coming less than 24 hours ahead of the opening of confirmation hearings for Gen. Michael Hayden, nominated to head the CIA. He was set to appear Thursday before the Senate Intelligence Committee.

It seems the White House is hoping to alleviate tensions surrounding Hayden's nomination. As **CBS News correspondent Gloria Borger** reports, if you ask questions in a private classified briefing, you cannot ask them again in an open hearing.

Sen. Pat Roberts, R-Kan., the Intelligence Committee chairman, said it became apparent that his entire committee needed to understand the NSA program in advance of having a full hearing on Hayden, who headed the NSA from 1999 until 2005.

"There was no way we could fulfill our collective constitutional responsibilities without that knowledge," Roberts said.

Roberts tells **Borger** that the NSA was looking at the phone calls collected during the surveillance, but he said not at the content, just at the pattern of phone calls.

Previously, only select members of the House and Senate intelligence committees were briefed in detail on the program. Democrats have been pressing the White House to provide the information to the full committees since December, saying that to do otherwise was a violation of the 1947 National Security Act.

"The White House, for the first time, is showing signs that they are serious about oversight of this program," said West Virginia Sen. Jay Rockefeller, the intelligence committee's top Democrat.

Rep. Jane Harman, D-Calif., Rockefeller's House counterpart, said: "It's a shame that it took an endangered nomination to make this happen."

Also on Wednesday, a federal judge ruled that secret documents that allegedly detail the surveillance of AT&T phone lines under the Bush administration's domestic spying program **can be used in a lawsuit against the telephone giant**, but the records will remain sealed.

Meanwhile, Verizon Communications Inc. says it did not give the government records of millions of phone calls, joining fellow phone company BellSouth in disputing key assertions in a USA Today article.

The denials leave open the possibility that the NSA requested customer calling data from long-distance companies like AT&T, Sprint and MCI in 2001, but not from companies that were mainly local phone companies, such as Verizon.

Read Verizon's Statement
Read BellSouth's statement

President Bush, however, insisted Tuesday that no domestic phone calls were ever listened to without a warrant, **CBS News correspondent Jim Stewart** reports.

"This government will continue to guard the privacy of the American people," Mr. Bush said at the White House. "But if al Qaeda is calling into the United States, we want to know. And we want to know why."

Mr. Bush declined to specifically discuss the compiling of phone records, or whether that would amount to an invasion of privacy.

Verizon has not provided customer call data to the NSA, nor had it been asked to do so, the company said in an e-mailed statement Tuesday.

The statement came a day after BellSouth Corp. issued a similar denial.

"One of the most glaring and repeated falsehoods in the media reporting is the assertion that, in the aftermath of the 9/11 attacks, Verizon was approached by NSA and entered into an arrangement to provide the NSA with data from its customers' domestic calls," the statement read.

Verizon's denial did not apply to MCI, which Verizon acquired in January this year. In an earlier statement, Verizon said it is in the process of ensuring that its policies are put in place in the former MCI business.

A story in USA Today last Thursday said Verizon, AT&T Inc. and BellSouth had complied with an NSA request for tens of millions of customer phone records after the 2001 terror attacks. The report sparked a national debate on federal surveillance tactics.

White House press secretary Tony Snow was asked about the phone record issue on **CBS News' *The Early Show*** Wednesday.

"You're assuming that program exists, and we neither confirm nor deny it," Snow said.

"There seems to be some controversy with the phone companies, all of whom have now said they don't do this sort of thing. ... Now USA Today is having some difficulty with the story itself."

The USA Today story cited anonymous sources "with direct knowledge of the arrangement."

"We're confident in our coverage of the phone database story," USA Today spokesman Steve Anderson said.

Verizon's statement suggested that USA Today may have erred in not drawing a distinction between long-distance and local telephone calls.

"Phone companies do not even make records of local calls in most cases because the vast majority of customers are not billed per call for local calls," Verizon said.

Intelligence analysts suggest that it's the long-distance calls and the international calls that the government has the most interest in,**Stewart** reports. But what's not clear is whether the NSA relies on the phone companies to provide them with that kind of information, or whether it has the ability to just tap into it itself.

The denials by Verizon and BellSouth leave AT&T as the sole company named in the USA Today article that hasn't denied involvement. On Thursday, San Antonio-based AT&T said it had "an obligation to assist law enforcement and other government agencies responsible for protecting the public welfare," but said it would assist only as allowed within the law.

AT&T spokesman Michael Coe said Tuesday the company had no further comment.

The other major long-distance company, Sprint Nextel Corp., has issued a statement similar to AT&T's.

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EXHIBIT X

THE WHITE HOUSE
PRESIDENT
GEORGE W. BUSH

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For Immediate Release
Office of the Press Secretary
May 16, 2006

Press Briefing by Tony Snow

James S. Brady Briefing Room

12:30 P.M. EDT

VIDEO Multimedia
Press Briefing
view

MR. SNOW: I feel so loved.

Q Welcome to the White House Press Office.

MR. SNOW: Thank you very much. Well, it's good to be here. Thank you one and all.

Very quickly, as you know, President Bush today met with Prime Minister John Howard of Australia. The two of them shared their thoughts about the global war on terror. They have taken your questions. And they had very warm and cordial meetings, as they look forward.

WHITE HOUSE

Also, a scheduling note, of which I'm sure many of you are aware: We had placed on the schedule a bipartisan meeting with members of the United States Senate regarding the immigration bill. That has been canceled, for the simple reason that members of the Senate are today working on the immigration bill. And since that was one of the chief action items -- the chief action item in the President's speech last night, he thought it best not to get in the way of the United States Senate as it continues to do that business.

And with no further ado, we'll take questions. Terry.

Q In his news conference with John Howard, was the President giving kind of a back-handed confirmation of the stories that the NSA is compiling telephone --

MR. SNOW: No, he wasn't. If you go back and listen to the answer he gave you, he was talking about foreign-to-domestic calls. The allegations in the USA Today piece, which we'll neither confirm or deny, are of a different nature. So, no, he was not giving a back-handed confirmation.

Q Well, he said they're very aware of what is taking place, and he said the question he's asking about has been fully briefed to members in the United States Congress.

MR. SNOW: Well, what he's talking about is that all intelligence matters conducted by the National Security Agency -- and we've said this many times -- have been fully briefed to a handful of members of the Senate Intelligence and House Intelligence Committees and to the leadership.

Q So he's neither confirming or --

MR. SNOW: He's not -- no, you're not getting any advance on previous news on that question.

Q -- the President talked last night about a rational middle ground dealing with 11 to 12 illegal immigrants who are here --

MR. SNOW: -- 11 million to 12 million.

Q -- 11 million to 12 million. What he calls a rational middle ground you know well conservatives, particularly in the House, who have passed a very tough bill on this the President presumably doesn't like -- they call that amnesty. Now, what specifically is the President going to do to breach this divide?

MR. SNOW: I think -- look, one of the things that's interesting is a lot of people have reacted to the President's proposal without having had time to evaluate it. This is an enormous and a complex series of proposals, and anybody who went to the briefing today in 450 I think gets an appreciation of that.

House members have expressed a number of differing concerns, and different House members have expressed those concerns. I think the most important thing to say is that the President is looking for a practical way, consistent with the American spirit, to make sure that we handle border security, we handle interior security, that we go ahead and deal with a number of the chief concerns on immigration that we have always had. And what he's really -- he's going to wait for members of the House of Representatives to have a chance to look over the proposal.

I'll give you an example. A lot of talk about border security. Under the President's proposal, over the span of the President's proposal, he would commit more Border Patrol agents and more assets to the border than even the House of Representatives have proposed, itself. I think that addresses that specific concern.

And I think as the conversations continue, members of the House are going to be able to express themselves, but the President was speaking last night to the American people about an issue that is of enormous importance to him. You see it every time he talks about it. This is an issue for which he has real passion, and he's decided that in this issue, he is going to demonstrate leadership by saying exactly what he wants. That's what he did last night.

Q But what he said today was, "Let's not get emotional about this and forget who we are."

MR. SNOW: Right.

Q Is that what we should look for? Because these aren't new issues, Tony, and the House knows what everybody is talking about, which is a path toward citizenship for those who are here illegally, and they don't like it. It's not just about border security, they're saying that that's amnesty. The definition has not changed in their minds over time, they don't have to read the President's speech to learn about it.

MR. SNOW: Well, what's interesting here is I -- don't leap to conclusions, David, about what the House of Representatives is likely to do. Amnesty, at least to me, means, as it did in 1986, all sins are forgiven, you've got a clean slate, go about your business. In this particular case, what -- the President is taking issue with the description of amnesty for a pretty good reason. He said, you will pay fines, you will have a criminal penalty; you will also have to pay taxes; you will also have to keep your nose clean, you can't break the law; you will also have to stay continuously employed. During that time, you will have to pay your taxes, you will have to have a secure, tamper-proof identification. And when all of that is done, you get to go to the back of the line, and you wait, what, 11 years or more for a chance to become a citizen, at the end of which you have to have a command of English, as well, to be able to become a citizen.

Now, with all those benchmarks, it is hard to square that with the idea of amnesty. You've got a lot of things you have to do, and in addition, the people who would qualify under that would still have to pay all the fees and go through all the steps that those who otherwise have placed themselves in line to become citizens, that they've had to go through.

Jim.

Q The President -- just to follow on this -- that still doesn't address the issue that these people are here illegally, according to people in the House who wanted to --

MR. SNOW: Well, they are here illegally. The President acknowledged that.

Q So what specifics is the President offering? He attempted to reach out to both wings of this debate, and in doing so, he's put himself in a middle course. Now, hasn't he attached all of his political capital to an issue that may very well be DOA? And what specifically is he giving the House to move the issue?

MR. SNOW: Well, again, what the President is trying to do -- it's a middle course, but it's also -- it's a leadership course. If the President wanted to appeal to certain basic political constituencies, maybe he would have given a different kind of speech. But what he gave is a speech he believes outlines the proper parameters of a reasonable, practical -- and solution that is also consistent with American ideals. The President often talks, for instance, about what immigration has done historically for the United States.

He understands that we have a problem. We've got 11 million or 12 million people here illegally. But as he noted last night, you can't round them all up and deport them. What do you do? You look for a practical -- as he described it, a rational middle ground for dealing with that problem. And that is something the practicalities of which are very complex, and he hopes to work it out both with the House and the Senate.

And interestingly enough, you will find that some of the people that you've already described have said, no, we never intended to deport everybody. That's not what we're talking about at all. I believe what the President did was lay down benchmarks that now invite both parties and both houses of Congress to roll up their sleeves and get working to try to get something done.

Q The President today denied he'd ever broken the law in terms of wiretaps. He also indicated that anything that was looked into, any calls, had some sort of foreign aspect either to or from. And he has said he's always obeyed the law. Are all of these stories untrue that we've been reading for the last several days that millions of Americans have been wiretapped?

MR. SNOW: Well, let's --

Q Are the phone calls turned over to the government?

MR. SNOW: Okay, let's try to segregate the stories here. What he's said about the terror surveillance program is that these are foreign-to-domestic calls and they were all done within the parameters of the law. He has not commented on the --

Q He, himself, has said he didn't obey that law.

MR. SNOW: No, he didn't. What he said is that he has done everything within the confines of the law. The second thing is, you're mentioning a USA Today story about which this administration has no comment. But I would direct you back to the USA Today story itself, and if you analyze what that story said, what did it say? It said there is no wiretapping of individual calls, there is no personal information that is being relayed. There is no name, there is no address, there is no consequence of the calls, there's no description of who the party on the other end is.

Q Privacy was breached by turning over their phone numbers.

MR. SNOW: Well, again, you are jumping to conclusions about a program, the existence of which we will neither confirm, nor deny.

Q Why? Don't you think the American people have a right to know --

MR. SNOW: Because -- what's interesting is, there seems to be a notion that because the President has talked a little bit about one surveillance program and one matter of intelligence gathering, that somehow we have to tell the entire world we have to make intelligence gathering transparent. Let me remind you, it's a war on terror, and there are people -- I guarantee you, al Qaeda does not believe --

Q He doesn't have a right to break the law, does he?

MR. SNOW: No, the President is not talking about breaking the law. But al Qaeda doesn't believe in transparency. What al Qaeda believes in is mayhem, and the President has a constitutional obligation and a heartfelt determination to make sure we fight it.

Q -- to obey the Constitution --

MR. SNOW: Absolutely right.

Q -- the Fourth Amendment --

MR. SNOW: Absolutely right, and he believes in obeying it.

Martha.

Q You might repeat the same thing, but why not declassify this? I mean, the President did talk about the surveillance program a day after The New York Times broke that story. This would seem to affect far more people, and it did sound like the President was confirming that story today. He was answering Terry's question --

MR. SNOW: Well, if you go back -- if you go back and you look through what he said, there was a reference to foreign-to-domestic calls. I am not going to stand up here and presume to declassify any kind of program. That is a decision the President has to make. I can't confirm or deny it. The President was not confirming or denying.

Again, I would take you back to the USA Today story, simply to give you a little context. Look at the poll that appeared the following day. While there was -- part of it said 51 percent of the American people opposed, if you look at when people said, if there is a roster of phone numbers, do you feel comfortable that -- I'm paraphrasing and I apologize -- but something like 64 percent of the polling was not troubled by it. Having said that, I don't want to hug the tar baby of trying to comment on the program -- the alleged program -- the existence of which I can neither confirm nor deny.

Q But there are polls that show Americans are very concerned about it.

MR. SNOW: The President -- you cannot run a security -- you cannot base national security on poll numbers. As the President of the United States you have to make your own judgments about what is in the nation's best interest.

Q You just brought it up, though.

MR. SNOW: Well, I did bring it up because what you were talking about is how people were concerned about privacy issues, and I tried to relate to you what happened. It was interesting, when people were given the specifics in that story, they did not seem to be terribly troubled.

Q We are now.

MR. SNOW: Well, that may have more to do with the way it's being spun than the way it's actually -- go ahead.

Q The news coming out today is as part of the incentives for Iran to cease its enrichment program, that Britain, France and Germany are prepared to offer Iran a light-water reactor. Has the United States signed off on this program? What do you think about that?

MR. SNOW: The United States has been pretty consistent in saying that Iran needs to renounce nuclear ambitions when it comes to a nuclear weapon. We have also said repeatedly that peaceful civil uses of nuclear power for electricity generation, that's perfectly appropriate. The key here is if Iran agrees to the stipulations that the United States and the international community have made -- which is to back away from any potential nuclear -- the creation of nuclear weapons -- that's a development we would welcome.

Q So you support the light-water reactor?

MR. SNOW: I think the United States -- let me just make it very general -- the United States is aware of and supports the continuing efforts of the EU3 to work -- am I getting it wrong? Okay. Thank you very much. In any event, the EU3 to make sure that Iran does, in fact, pursue peaceful, and strictly peaceful, applications of nuclear power should it do so.

Q Do you have any reaction to Governor Schwarzenegger's comments that the border state governors were not consulted about the President's immigration proposal, about the troops on the border, and that they don't like the idea?

MR. SNOW: Well, governors are going to have different opinions. And I think also, as people again begin to be read into the program, let's see what they have to say. Obviously, we take seriously what Governor Schwarzenegger has to say about the issue. There was consultation on the staff level, and I guarantee you there will be consultation on the principals level, as well.

Give you another example. Governor Richardson of New Mexico has been saying that he would like to see more Border Patrol agents placed on the border. Well, guess what -- that's the heart and soul of the President's proposal.

So I think what's going to happen is that there will be continued dialogue with the governors and with staffs. You've got to keep in mind that as the Commander-in-Chief of California, in effect, Governor Schwarzenegger will have the opportunity to request National Guard support to free up Border Patrol agents to work on the border. In addition, there are provisions within the President's proposal to do things like a high-tech fence along highly-trafficked areas. Duncan Hunter, who has been very conservative on the issue over the years, supports the President's ideas. I think this is one of these things where, again, let's see what happens as they read into the details.

Q The White House has not reached out to him specifically before the President made --

MR. SNOW: The White House -- there was consultation between the White House and gubernatorial offices. I'll just leave it at that.

Q One thing, in talking to House Republicans, that really troubles them about the "path to citizenship" part of the debate over immigration is that -- is the sticking point on whether illegal immigrants who wish to be citizens would be forced to leave the country, then get back in line. It seems to me the President supports at least allowing a certain pool of illegal immigrants to go through the citizenship process without having to physically leave the country. That's accurate, right?

MR. SNOW: Walk me through that again -- what you're talking about -- look, there are a series of proposals that -- what the President did not do is commit himself to specifics about how people would enter the path to citizenship. As you know, that is a topic of debate right now before the United States Senate, and I guarantee you it's going to go to conference. So this is one where the President, I think, is willing to work with willing members of Congress to come up with a solution.

Q Have you heard him talk specifically about this notion of -- he's talked about treating illegal immigrants who have been here longer who have roots differently. Would that include not requiring them to physically leave the country --

MR. SNOW: As I said, at this point that's a level of operational detail I'm not willing to address right now.

Q Tony, the President laid out this plan last night to bring the National Guard in, up to 6,000 troops. But back in December, his own Homeland Security Secretary, I think on a program you, in fact, were guest hosting, said this is not a plan, "the National Guard is really, first of all, not trained for that mission."

MR. SNOW: Right.

Q Why has the White House changed its position in the last few months, first of all? And second of all, does the administration regret not moving quicker to deal with this border security --

MR. SNOW: Keep in mind, the original proposal was for National Guard members to do law enforcement activities. And there is no sense that the National Guard is going to be doing that. Instead, what the President is saying is, we're going to make National Guard units available to do non-law enforcement tasks, such as doing various kinds of construction, doing surveillance, doing intelligence work, which would permit Border Patrol agents -- who sometimes have to do other things -- to go ahead and work on the border. There's also talk of freeing up people who are at desk jobs within the Border Patrol who have been trained to do law enforcement to do so.

The difference between then and now is, as Secretary Chertoff was saying, National Guard personnel are not trained to do law enforcement. Instead what the President is trying to do is to take the people who specifically trained to do this particular kind of law enforcement and get them out there, get the assets on the border as quickly as possible.

Q Tony, it sounds as though the President did not talk to any of the border state governors, himself, is that correct?

MR. SNOW: I'm not going to engage in on deliberations. I honestly am not sure. I know for a fact that there was staff contact. I don't know if the President called the governors.

Q How about with the Hill? Did the President -- or was it all left to the staff?

MR. SNOW: There, again, I'm not going to get into what the President did or didn't do.

Q Thanks, Tony. You just a second ago said you guarantee it's going to go to conference. So you already know that the Senate is going to pass this?

MR. SNOW: Okay, you know what, I was being presumptuous here. (Laughter.) But I think that there is -- again, I think there's a good chance -- if you talk to people on the Hill, it looks as if the Senate has put together a series of rules. But you're absolutely right. I overstepped and should not be making predictions about what the Senate will do, and we'll leave it to the senators, themselves.

Q The President has talked a great deal in the context of global policy of the concern about an emerging sense of isolationism and protectionism. Can you talk about his concern that some of the criticism from the right on a guest worker program and a path to citizenship foments that isolationism and protectionism with his own party?

MR. SNOW: I think what the President was trying to do last night was, once again, appeal to people's sense of who we are as a country, which is a nation of immigrants. As he said, there's a way to talk about border security and being a nation of immigrants in a way that fits together. He was not trying to point fingers at either party, or at either house of Congress. What he was trying to do was show leadership on the issue and to do it in a practical, principled and idealistic way.

Q One last question if I can. The definition of comprehensive immigration reform that the President demands, does it have to include a path to citizenship?

MR. SNOW: Does it have to? The President laid out exactly what he thinks is necessary, and keep in mind, Carl, what he was saying is you cannot do one thing at a time. You have to do it all at once, or it all falls apart.

Q The initial reaction at the House yesterday was largely solely about the National Guard elements, and either ignored or derided the elements of a path to citizenship or a guest worker program. As you know, the Senate is also taking up amendments today that would largely change very, very fundamentally the Senate bill that the President prefers. Would he veto a bill that emerged either without the guest worker program or without the path to citizenship?

MR. SNOW: I think it's -- two things; first, I'm not sure I would share the characterization. You just gave a global view of how 435 people might regard a highly complex bill, and I think you can agree that there's a pretty wide spread of opinion.

Q -- (inaudible) --

MR. SNOW: No, I think so. The second thing, it's highly presumptuous to talk about veto threats and that sort of thing when we haven't, as Carl just pointed out, even got a Senate bill.

Q Hold on, Tony. The Speaker did totally ignore the path to citizenship. His statement in response had only to do with border security.

MR. SNOW: And as I said before, David, give members of the House time to digest what goes on. They have talked about one element. As the President pointed out, there are five separate elements.

Q Tony, first of all, welcome and congratulations.

MR. SNOW: Thank you.

Q My question, going back on immigration. I agree with the President that you cannot deport 12 million-plus and also not allow amnesty. But they are taking a lot of -- from people who are legally in this country, paying taxes, they are here for five or 10 years, still waiting for a green card or citizenship, and these people will get automatically from illegal to legal status. What is the future of those people who are still waiting --

MR. SNOW: Those people are -- look, those people are ahead in line. As the President said, nobody is going to be able to jump over those who have been waiting legally in line.

Q You said today and you said yesterday, also, this will free up some Border Patrol agents. Do you have a number of how many would actually be shifted to the border?

MR. SNOW: You know what, rather than have me fake it, I will get a precise number to you -- (laughter) -- because I'll tell you what we have said -- and here in the front row, if anybody wants to provide a precise number -- I know that we said a number of thousand people in desk jobs are being moved. The precise complement on the border, itself, I'll find out.*

Q Tony, I'm curious, why won't you comment at all on the USA Today story, or at least talk in a limited way about how average Americans' phone records are handled by the National Security Agency?

MR. SNOW: Because it's inappropriate.

Q Tony, has there been contact with other governors to see -- in other words, will we start to see some governors coming forward soon to say, I support the President's plan --

MR. SNOW: Well, we've only had Governors Napolitano and Perry expressing support for it, so if you're talking about the border states. And, again, I think based on the comments Governor Richardson made, there is certainly an attempt to address the specific concern about Border Patrol agents. The answer is, this is an issue, obviously, of broad and deep concern and the administration is going to reach out to people all around the political system; we do it, and do it right.

Q Tony, last night Roy Blunt in the House leadership issued a statement saying he still had serious concerns after the President's speech. What's the strategy, what's the White House strategy going forward on how to bring some of these folks around?

MR. SNOW: What I think I've said before is that members of the House -- Roy Blunt said that he was concerned about border security. Now, as I pointed out, the President's own proposal over the length of the proposal actually places more assets on the border than the bill for which Representative Blunt has already voted. So I think there is a serious attempt to address that concern.

As far as outreach, there are going to be different ways to reach out to members of Capitol Hill. I can't tell you exactly how we're going to deal with Roy Blunt or Denny Hastert or anybody else. But I guarantee you, the President knows that this is an issue of sufficient concern that he is going to pay heed to friends and allies on Capitol Hill.

Q Can I look ahead to tomorrow's tax bill signing? The President for many months now has been describing an economy firing on all cylinders. Does the economy still need that much stimulus, or does it not have more -- avoid the danger posed by the continuing large deficits, not greater at this point?

MR. SNOW: Are you suggesting that we have too much prosperity?

Q I am not suggesting, I'm asking.

MR. SNOW: Well, it seemed -- you're talking about too much stimulus. If you take a look at the revenue numbers that are coming in -- you just talked about deficits -- the revenue numbers are coming in in such a way that the deficits are, in fact, below estimates. I think if you want to have tax revenues coming in and gushing -- the President is committed to a path of growth. He has made it clear that he wants to make permanent all the tax cuts that have been enacted for the simple good reason that it's good to have people employed, it's good to have people making more money, it's good to have productivity up, it's good to have the most vigorous economy on the face of the Earth, and he wants to continue it.

Q Has Karl Rove told the President that he will resign if he is indicated in the Valerie Plame affair?

MR. SNOW: I am not going to comment at all on Karl Rove and his private communications with the President, nor am I going to comment on what may or may not happen.

Q Shouldn't America's immigration problems be solved in context with other countries such as Mexico? What is the President doing to convince such countries as Mexico to curb illegal immigrants from crossing the border into the U.S.?

MR. SNOW: Well, the President is going to do American domestic policy, and he's not going to presume to speak for foreign leaders. He did have a phone call with President Fox, and the two of them talked about cooperating on trying to clamp down on illegal traffic between Mexico and the United States on drug and human trafficking, and try to maintain the sanctity of the borders.

Q Tony, the President used new language today in actually making the case for immigrants to become U.S. citizens. And one thing he said is we're a nation of immigrants, but he went on to say we are not going to discriminate against people. There are some who see this debate, particularly the emotional rhetoric in talking about Mexicans, illegal immigrants as having racial or even racist overtones. Does the President agree with that? And what did he mean when he said today, we are not going to discriminate against people?

MR. SNOW: Well, Suzanne, I think I will not try to improve on the President's words from today.

Q Hi, Tony. Welcome, and nice, nice and zippy. A couple of personal questions. You've made a lot of -- (laughter.) What are your personal goals, what do you hope to achieve here? Will you continue to televise these briefings? And would you put into English the phrase, "hug the tar baby"?

MR. SNOW: Well, when we hug the tar baby -- we could trace that back to American lore. I don't see it as a personal sacrifice to answer a call from the President of the United States to come and serve, I consider it an honor. That still gives me chills. I go out at the end of that lawn, I look back the pillars, and think, man, I'm working here. I don't know if you ever do this, but if you don't, I suggest you do. It's an astounding thing. And whatever the citizens and you may feel about your particular state in life, this is a very special place to work.

What was the second part of the question?

Q Will you continue to televise the briefings?

MR. SNOW: I have made no decisions about whether or not to televise. I am sure that the TV people here would have absolutely no problem with us going dark. (Laughter.)

Q What kind of timetable do you have for a comprehensive bill? I mean, when would you have to have it in your hands, because --

MR. SNOW: You're talking about immigration?

Q Yes.

MR. SNOW: Again, this is one where I've already overstepped my bounds by presuming to predict a Senate vote. I'm not going to go any further. I think the President would like to see action.

Q Does the White House have a notion on the percentage of these Guard troops that are already in the four border states, versus how many might have to come from --

MR. SNOW: I'll refer technical questions like that back to the Department of Homeland Security. I do not have the breakdown. I know that they were briefing on that earlier today.

Let me go back over here --

Q Tony, what's the message to Salvadorans or Mexicans who are headed north as we speak, when they hear the President speaking of tolerance, and might have tuned out for the rest of it? Is it, turn around and go back?

MR. SNOW: What the President wants is an end to illegal immigration, and at the same time, some sort of resolution, some practical way of dealing with the fact that you have 11 million people who have come here illegally, many of which -- many of whom have set down roots, are working and paying taxes. The message is: Obey the law.

Q Tony, just so you can run the full gamut, Rebecca Cooper, with ABC7 News.

MR. SNOW: Yes.

Q Could you update us on where President Bush stands on giving the District voting rights in the House, now that Chairman Tom Davis is pushing a bill that would give the District voting rights?

MR. SNOW: That is an issue -- why don't we wait and see what happens first. If Representative Davis has success, we will be able to formulate a position.

Q Second question, why did you choose to wear the yellow bracelet today? What's the importance to you?

MR. SNOW: I had cancer last year. And having cancer, it's one of these things -- thank Terry Hunt for having provided -- I lost my old one when I was in the hospital having my last cancer surgery. It's going to sound stupid, and I'll be personal here, but -- just having gone through this last year -- and I said this to Chris Wallace -- was the best thing that ever happened to me. It's my Ed Muskie moment. (Laughter.) I lost a mother to cancer when I was 17, same type -- same type, colon cancer. And what has happened in the field of cancer since then is a miracle.

I actually had a chance to talk today with Lance Anderson [sic] about this. You know, it's one of these things where America -- whatever we may say about a health care system, the technologies that were available to me that have me standing behind the podium today, where a doctor who said, you don't have to worry about getting cancer, just heartburn, talking to these people -- (laughter) -- that's a wonderful thing. And I feel every day is a blessing.

April.

Q Tony, going back to Peter and Suzanne talking about race, some are questioning if this guest worker program is divisive. It pits people with color against black Americans. And Congresswomen Sheila Jackson Lee of Texas says that black Americans need to be brought to the table when you're talking about this issue.

MR. SNOW: I don't precisely -- I don't understand -- I don't want to be foolish, but how on earth would it pit willing workers --

Q Okay, then according to the President's proposal those who -- employers are allowed to give jobs to immigrants, those jobs from people -- it keeps giving those jobs to people -- the immigrants because others won't take those jobs. Others -- and some are saying those others are African Americans.

MR. SNOW: No, you know --

Q Vicente Fox said that.

MR. SNOW: Well, again, I'll let President Fox defend his comments. I'm just not going to go into that.

Q Don't you think that African Americans -- and not just African Americans, but black Americans need to be brought to the table? Congresswomen Sheila Jackson Lee is making this request.

MR. SNOW: She's a member of Congress; of course, she's at the table.

Q Tony, three quick things. First of all, welcome aboard.

MR. SNOW: Thank you.

Q Secondly, the beautiful woman in the yellow blouse with the Spanish accent is my wife, Sarah Scott.

Q Oh, God. (Laughter.)

Q Thirdly, like the little old grandfather in the movie Moonstruck, I'm a little confused. Under posse comitatus, if governors call up the National Guard, they are allowed to actually engage in police activities. And there are trained units in the National Guard, trained MP units. Why aren't they being used that way?

MR. SNOW: Well, two things. First I think I called Lance Armstrong, Lance Anderson. So let me first apologize to him for that.

Secondly, the President has made it clear he wants people whose full-time job is law enforcement at the border to handle the full-time job of law enforcement at the border. If you spend time deputizing people who later are going to have to go on to other things, you have failed to achieve your long-term objective, which is to strengthen our ability to patrol the borders and to try to shut down illegal immigration.

Q Tony, a lot of people that have been looking at the immigration issue for a long time say that the President is wasting his time talking about border patrol, that it's an issue that he'll never gain -- this question of temporary workers is something that he'll never convince the hardcore conservatives about, no matter how long he talks about border patrol. What can he do to talk directly to the more moderate doubters in the Senate and the House about this temporary worker --

MR. SNOW: Look, every aspect of this program is something in which the President deeply believes in. I think you've just made the case for leadership here. The President is not sitting around doing calculations about how you get a vote here or there; he's talking about a comprehensive solution. And I think what he will end up doing is talking with members of both parties, of all ideological stripes -- because the idea somehow that there's one group of people and only one group of people -- labor, also, has had problems with the idea of trying to deal with these.

I think the President is looking for a way to reach across both parties, to have bipartisan cooperation on building a solution that is going to be reflective of American ideals and contemporary realities.

Q Tony, as the only other talk radio host in this room, I'd like to ask you as a former colleague a brief, one-part question. (Laughter.) Congresswoman Maloney of New York and 43 others in the House have written the President, and this is the fourth time with no response from him, to ask, is the President opposed to contraception or not?

MR. SNOW: Well, thank you, that's -- (laughter) --

Q Thank you?

MR. SNOW: Yes.

Q How does he stand?

MR. SNOW: The President does not share his private correspondence with members of Congress or others, and so I don't have an answer for you, Lester.

Q The President last night said that there would be help for state and local governments in funding this program. Will the state and local governments be asked to kick in?

MR. SNOW: No.

Q And what are the funds that he's talking about?

MR. SNOW: There are two different types of accounts that were mentioned. One is called 287G; the other is called Stonegarden. Basically, what they do is they provide reimbursements for targeted apprehension and detention. In other words, you've got a certain operation you want to do, you need to call upon local law enforcement, which knows the area, which knows the terrain, which is going to be helpful. You do that and you do the reimbursement. State and local governments are going to be asked to pony up additional funds.

Q So they would be held harmless --

MR. SNOW: Correct.

Q Tony, the President called for a civil tone in the immigration debate. I wonder, is he concerned that by characterizing those who oppose a path to legalization for illegal immigrations as people who want to deport aliens that he's going to further inflame --

MR. SNOW: No, I think what he was trying to do was to talk about the two poles of the debate. You can't deport millions, and on the other hand, you don't grant amnesty and say we just forget about it. What you have to do is to come up with a rational middle ground. I don't think he felt that he was going to offend anybody by doing it. What he was trying to do is explain to the American people what the two poles are in the debate and how he intends to be in the middle.

Q Tony, Fox News, and specifically "The O'Reilly Factor," has aired video of the Mexican military assisting coyotes smuggle people across the border. How could the President call Vicente Fox in Mexico an ally in this immigration issue with corruption that extends all the way to the military?

MR. SNOW: Well, I'm not going to get into -- let me just review what I said before, which is that the two Presidents, in their conversation over the weekend, talked about the importance of border security, about fighting crime, which includes human and drug trafficking, and doing it in a way that's going to be cooperative. The President has already said, Mexico is not our enemy. And he certainly is committed to having secure borders and credible border enforcement.

Q Tony, the Heritage Foundation has done a study on the Senate bill and concluded it would authorize legal -- not illegal, but legal -- immigration of 100 million over the next 20 years. The math seems pretty simple, five times 20 is 100 million. Is that a level of legal immigration that the President would support?

MR. SNOW: Before you do the -- you're talking about a Heritage Foundation study that talks about a Senate bill that may or may not be passed in its present form. And you also have the dangers of trying to do straight-line projections where human beings are cussedly unpredictable. We are talking a look right now at the methodology of the Heritage study, so I don't want to -- I don't want to get too deep into the details. But we are taking a look at it. I mean, those are serious allegations.

But, again, what the President has talked about is figuring out a way to guarantee national security, to strengthen national security by, A, going ahead and securing the borders; B, doing interior enforcement; C, doing assimilation, and making sure that we have a solution that's going to hold up over time. And finally, the last piece of the guest worker program is designed to make sure that people have a legal path, and a predictable legal path, for getting into the country, and after that, using that as a way to try to prevent the kind of scrambling over the borders that we've seen.

Q But -- does he think there should be a legal --

MR. SNOW: I don't think -- I'm sorry, what?

Q What is the appropriate number of legal immigrants coming into this country?

MR. SNOW: That is something that Congress decides every year.

Q Tony, you've been asked several questions about the NSA. The President was asked about his NSA programs. The President was asked about it this morning. On Thursday, however, isn't General Hayden going to have to be a little more forthcoming in public about these programs if he's going to become the head of the CIA?

MR. SNOW: General Hayden I don't think is under any obligation to spill the beans in terms of national security in a public forum. I think the members who are going to be holding hearings understand where to draw the boundaries. There will be some tough questions, I am sure, that are asked behind closed doors, and those with appropriate classification will be able to see -- receive differing levels of detail. But, again, the idea that somehow you talk about all aspects of National Security Agency activities in an open forum is absolutely inappropriate.

Q He didn't ask that.

MR. SNOW: Well, that is what he asked.

Q Tony, Senator Grassley has introduced legislation that would waive the penalty for Medicare recipients who don't sign up for the drug benefit. Would the President be open to something like that?

MR. SNOW: Well, again, that's a bill that was dropped in the hopper just a couple hours ago, and just as we've said that members of the House and Senate take a good look at the President's proposals, we'll take a good, careful look at that.

Q Thank you.

MR. SNOW: All right.

Q Just thoughts on your first day, Tony, some final thoughts on your first day?

Q Yes, welcome.

Q How hard is it?

MR. SNOW: I love it, this is great. Thank you.

END 1:10 P.M. EDT

* National Guard support will enable us to move more than 500 Border Patrol agents from jobs in the back office to the front lines.

Return to this article at:
http://www.whitehouse.gov/news/releases/2006/05/20060516-4.html

EXHIBIT Y

Director of National Intelligence
WASHINGTON, DC 20511

MAY 1 7 2006

The Honorable J. Dennis Hastert
Speaker of the
House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

I am responding on behalf of National Security Advisor Stephen Hadley to Ms. Pelosi's May 2, 2006 inquiry regarding the classification of the dates, locations, and names of members of Congress who attended briefings on the Terrorist Surveillance Program. Upon closer review of this request, it has been determined that this information can be made available in an unclassified format. The briefings typically occurred at the White House prior to December 17, 2005. After December 17, briefings occurred at the Capitol, NSA, or the White House. A copy of the list is enclosed.

Sincerely,

John D. Negroponte

Enclosure: As stated.

cc:
The Honorable Nancy Pelosi
The Honorable Jane Harman
The Honorable Peter Hoekstra
The Honorable Pat Roberts
The Honorable John D. Rockefeller IV

Event Date	Congressional Members Briefed	Name
25-Oct-01	Chair HPSCI	Porter J. Goss
	Ranking Minority Member HPSCI	Nancy Pelosi
	Chair SSCI	Bob Graham
	Vice Chair SSCI	Richard C. Shelby
14-Nov-01	Chair HPSCI	Porter J. Goss
	Ranking Minority Member HPSCI	Nancy Pelosi
	Chair SSCI	Bob Graham
	Vice Chair SSCI	Richard C. Shelby
4-Dec-01	Chair Senate Appropriations Committee, Defense Subcommittee	Daniel K. Inouye
	Ranking Minority Member Senate Appropriations Committee, Defense Subcommittee	Ted Stevens
5-Mar-02	Chair HPSCI	Porter J. Goss
	Ranking Minority Member HPSCI	Nancy Pelosi
	Vice Chair SSCI	Richard C. Shelby
10-Apr-02	Chair SSCI	Bob Graham
12-Jun-02	Chair HPSCI	Porter J. Goss
	Ranking Minority Member HPSCI	Nancy Pelosi
8-Jul-02	Chair SSCI	Bob Graham
	Ranking Minority Member SSCI	Richard C. Shelby
29-Jan-03	Chair HPSCI	Porter J. Goss
	Ranking Minority Member HPSCI	Jane Harman
	Chair SSCI	Pat Roberts
	Vice Chair SSCI	John D. "Jay" Rockefeller IV.
17-Jul-03	Chair HPSCI	Porter J. Goss
	Ranking Minority Member HPSCI	Jane Harman
	Chair SSCI	Pat Roberts
	Vice Chair SSCI	John D. "Jay" Rockefeller IV
10-Mar-04	Speaker of the House	J. Dennis Hastert
	Majority Leader of the Senate	William H. Frist
	Minority Leader of the Senate	Tom Daschle
	Minority Leader of the House	Nancy Pelosi
	Chair HPSCI	Porter J. Goss
	Ranking Minority Member HPSCI	Jane Harman
	Chair SSCI	Pat Roberts
	Vice Chair SSCI	John D. "Jay" Rockefeller IV
11-Mar-04	Majority Leader of the House	Tom DeLay
23-Sep-04	Chair HPSCI	Pete Hoekstra
3-Feb-05	Chair HPSCI	Pete Hoekstra
	Ranking Minority Member HPSCI	Jane Harman
	Chair SSCI	Pat Roberts
	Vice Chair SSCI	John D. "Jay" Rockefeller IV .
2-Mar-05	Minority Leader of the Senate	Harry Reid
14-Sep-05	Chair HPSCI	Pete Hoekstra
	Ranking Minority Member HPSCI	Jane Harman
	Chair SSCI	Pat Roberts
	Vice Chair SSCI	John D. "Jay" Rockefeller IV

Event Date	Congressional Members Briefed	Name
11-Jan-06	Speaker of the House	J. Dennis Hastert
	Majority Leader of the Senate	William H. Frist
	Chair HPSCI	Pete Hoekstra
	Chair SSCI	Pat Roberts
	Vice Chair SSCI	John D. "Jay" Rockefeller IV
20-Jan-06	Minority Leader of the Senate	Harry Reid
	Minority Leader of the House	Nancy Pelosi
	Chair SSCI	Pat Roberts
	Ranking Minority Member HPSCI	Jane Harman
11-Feb-06	Chair SSCI	Pat Roberts
16-Feb-06	Speaker of the House	J. Dennis Hastert
	Chair HPSCI	Pete Hoekstra
28-Feb-06	Chairman, House Appropriations Committee, Defense Subcommittee	C.W. Bill Young
	Ranking Minority Member, House Appropriations Committee, Defense Subcommittee	John Murtha
3-Mar-06	Vice Chair SSCI	John D. "Jay" Rockefeller IV
9-Mar-06	Chair SSCI TSP subcommittee	Pat Roberts
	Vice Chair SSCI TSP subcommittee	John D. "Jay" Rockefeller IV
	Member SSCI TSP subcommittee	Orrin G. Hatch
	Member SSCI TSP subcommittee	Mike DeWine
	Member SSCI TSP subcommittee	Dianne Feinstein
	Member SSCI TSP subcommittee	Carl Levin
	Member SSCI TSP subcommittee	Christopher S. "Kit" Bond
10-Mar-06	Member SSCI TSP subcommittee	Christopher S. "Kit" Bond
13-Mar-06	Chair SSCI TSP subcommittee	Pat Roberts
	Member SSCI TSP subcommittee	Dianne Feinstein
	Member SSCI TSP subcommittee	Orrin G. Hatch
14-Mar-06	Member SSCI TSP subcommittee	Mike DeWine
27-Mar-06	Member SSCI TSP subcommittee	Carl Levin
29-Mar-06	Chairman HPSCI TSP group	Pete Hoekstra
	Ranking Minority Member HPSCI TSP group	Jane Harman
	Member HPSCI TSP group	John McHugh
	Member HPSCI TSP group	Mike Rogers (MI)
	Member HPSCI TSP group	Mac Thornberry
	Member HPSCI TSP group	Heather Wilson
	Member HPSCI TSP group	Jo Ann Davis
	Member HPSCI TSP group	Rush Holt
	Member HPSCI TSP group	Robert E. "Bud" Cramer
	Member HPSCI TSP group	Anna G. Eshoo
	Member HPSCI TSP group	Leonard Boswell
7-Apr-06	Chairman HPSCI TSP group	Pete Hoekstra
	Member HPSCI TSP group	John McHugh
	Member HPSCI TSP group	Mike Rogers (MI)
	Member HPSCI TSP group	Mac Thornberry
	Member HPSCI TSP group	Heather Wilson
	Member HPSCI TSP group	Rush Holt
28-Apr-06	Ranking Minority Member HPSCI TSP group	Jane Harman
	Member HPSCI TSP group	Heather Wilson
	Member HPSCI TSP group	Anna G. Eshoo

Event Date	Congressional Members Briefed	Name
11-May-06	Chairman, House Appropriations Committee, Defense Subcommittee	C.W. Bill Young
	Ranking Minority Member, House Appropriations Committee, Defense Subcommittee	John Murtha

EXHIBIT Z

THE WHITE HOUSE
PRESIDENT
GEORGE W. BUSH

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For Immediate Release
Office of the Press Secretary
May 17, 2006

Press Briefing by Tony Snow

James S. Brady Briefing Room

12:32 P.M. EDT

VIDEO Multimedia

Press Briefing
view

MR. SNOW: Okay, let's begin. Welcome, one and all. Good afternoon. For those of you who weren't here, we have coined the term "bupkes list" for items that the Press Secretary may not have had complete and full answers for during the gaggle. So, in response to this morning's bupkes list, who is --

Q How do you spell "bupkes"?

MR. SNOW: Bupkus -- b-u-p-k-u-s.

Q Yiddish.

Q E-s.

MR. SNOW: Thank you, corrected, e-s.

First: Who is doing the briefings in the National Security Agency? That is already out and about now, but it's General Keith Alexander; the NSA Director is doing the briefings on the Hill.

As far as the RNC Gala speech tonight, what points is the President going to make. He is going to -- because the question was, is this a rah-rah speech. And the answer is, no. The President is going to make the argument that elections are about ideas, and he is going to remind people of some of the big ideas. Number one, winning the war on terror -- big idea. Second, maintaining the strength and integrity of the economy. Certainly, he is looking forward in the next couple of hours to signing the Tax Relief Extension Reconciliation Act of 2005, extending the tax cuts. That is an important part. Keeping the economy competitive -- that is an important part. Having an aggressive agenda to keep the growth path continuing is important. He will talk about education. He will talk about energy independence and innovation. He will talk about health care, and, of course, he will talk about values.

In response to the question of whether Governor Napolitano will be with us tomorrow in Yuma, Arizona, the answer is, yes.

And finally, on the background question, has the President, in relationship to the immigration bill, called anybody other than Senator Frist and Speaker Hastert, the answer is, no.

And with no further ado, let us go to questions. Terry.

Q Senator Sessions has offered an amendment to the immigration bill today for more fencing along the U.S.-Mexican border. Is that an amendment that the administration supports?

MR. SNOW: We're not going to comment at this point on any particular amendments. What we're happy about is the fact that the Senate seems to be moving with considerable dispatch toward putting together a comprehensive approach to this. And as you know, Terry, there are a bunch of amendments that are going to make their way. So rather than commenting piecemeal, I think when the whole package is put together, obviously, we'll have a strategy for talking with the House and Senate about our longer-term objectives.

Again, what the President was talking about is border security. And I think an important thing to remember is that the border security initiatives that the President assembled are designed to put on the ground what is needed at particular places. Some places are going to need fences; some places where you've got rough terrain, maybe you simply use technical means for observing the border; some places you're going to have border guard. In other words, you try to target the appropriate resources at the places where they're needed. And fences, clearly, as the President stated Monday night, are part of the picture.

Q Is General Hayden briefing the Senate Intel and House today?

MR. SNOW: No, it's -- again, my sense, at least the readout I have is that General Alexander, the current Director of NSA, is doing the briefing.

Q Okay, but the briefing is the full Senate --

MR. SNOW: The full Senate Intelligence Committee and the full House Intelligence Committee -- the full Senate today.

Q This seems to be a bit of a departure from what we were previously led to believe. What's behind "the more, the merrier"?

MR. SNOW: What's behind -- how about "the more, the better informed"? As Senator Roberts said earlier today, he thought it was an uncomfortable situation in which you would have seven members fully briefed on the program as they're getting ready to do confirmation hearings, and eight members not briefed. There was a strong sense that everybody needed to be read into the program to do what they needed, in his opinion, to do to have a full and appropriate confirmation hearing for General Hayden. And we agreed with him.

Q This wouldn't be happening without the linkage of General Hayden's hearings starting tomorrow?

MR. SNOW: I'm not sure, but this is a response to a direct request both from the House and Senate Intelligence Committee chairmen.

Q I want to ask you the same question about conservatives that I posed yesterday, because the President said that his approach to this is to lead; that's how you bring conservatives around. Well, he said the same thing about Social Security, and they didn't come around. He lost that issue among conservatives. There's been, frankly, and even more --

MR. SNOW: Well, first let me say --

Q Well, I'll just finish my point, which is, there's been a more vociferous outcry on issues that are well-known to the President in terms of what conservatives oppose about this immigration idea. So what specifically is he prepared to do to bring them around, other than to lead on the issue?

MR. SNOW: Well, the general -- the use of the catch-all term, "conservatives" about particular issues, I don't think allows me to give a specific answer, because, as you know, David, on any given issue, you're going to have shifting groups of people who are for and against. Also, on Social Security, it seems to me that there was wide-spread apprehension on the parts of all members of Congress to take it up in a comprehensive way at this time.

Q But the Republicans control Congress, so they could --

MR. SNOW: Well, there are a few Democrats aboard, too, as you are aware, and they also have the ability to shape debate on particular issues.

But let me address what you were just talking about. Karl Rove was on the Hill today. Karl came out and he said that his meeting with the Republican Caucus in the House of Representatives was "hopeful, optimistic, and positive." The meeting there -- and I'd seen some talk that maybe this was going to be a highly contentious meeting -- the readout I get is that it was not at all. It was respectful; people were obviously having exchanges of views on things. But I also think, what members of the House appreciate is that the President said, okay, this is where I stand. It gives people a basis from which to proceed, because the House and Senate -- provided the Senate does pass a bill -- are going to have to sit down and reconcile their differences. The President can play a very important role on that.

As I said to you yesterday, do not assume that all positions are absolutely chiseled in stone. For instance, on the issue of border security, as I've pointed out a number of times, the President is actually taking a more aggressive approach on border security than the House of Representatives, itself, took -- this is the Republican-led House of Representatives -- getting border agents and more border agents to the site, getting more technological apparatus, getting more resources to the border more quickly. So I think that is the sort of thing that is going to answer a lot of the complaints we have heard from some of the Republican Caucus on Capitol Hill. I think we all need to step back and wait and see how this debate proceeds.

Q But what you're describing and the notion that this was a hopeful and positive meeting --

MR. SNOW: Well, it's not my notion, it's what Karl said.

Q Okay. But, I mean, maybe it was a terrific meeting. As far as I can tell, that has not stopped Republicans, particularly in the House, from going gangbusters against this President before they've had a chance to read everything, as you say they should do.

MR. SNOW: Well, as I pointed out -- I mentioned this yesterday, and for -- let me see if I can find my quote, because I pulled it out. Chuck Hagel, as you may recall, made a fair amount of news over the weekend when he first said that -- let's see -- "Well, I want to listen to the details and I want to listen to the President," said Senator Hagel -- he said this on "This Week" on a competing network. But I would say this: I think we have to be very careful here. That's not the role of our military, that's not the role of our National Guard." That's what Senator Hagel said on Sunday.

After the President's address, here's what Senator Hagel said, after having a chance to read and review it: "I support everything the President said tonight." It's a change. I think a lot of times when people have an opportunity to look at these things -- there are going to be some people, David, who are just going to disagree with the President completely and totally on this. That's how democracy works. We don't have a problem with that. But I think also, a number of people who have expressed skepticism, I think, once they took a fuller look at all this are going to say, okay, this addresses our concerns.

Helen.

Q Is there any change in the status of Karl Rove contemplated in the near future -- status in the White House?

MR. SNOW: Not that I know of, Helen, no.

Q Going back to the intel briefings that are happening today. Previously, Alberto Gonzales said that this is one of the most classified programs, perhaps the most classified program in the United States government, and that is why no more than the gang of eight can be briefed. What's changed?

MR. SNOW: Well, again, what's changed is, as I tried to explain, the dynamics of having hearings -- and I suppose you could say, to a certain extent, General Hayden's appearance has been a driver here, because the committee chairs have said that what they want to make sure is that people are fully briefed on this, and they want to make sure that the committee members are fully briefed. So we're responding to the requests from Chairmen Roberts and Hoekstra on this issue.

Q So had they asked sooner, the President would have considered it?

MR. SNOW: Don't know. That's a big "if," and I'm not going to get into that.

Go ahead, Steve.

Q You described Karl's meeting, but what did he tell the House members?

MR. SNOW: Well, what he was doing was running through -- and I was not there, Steve, so I'm not going to try to pretend that I have a seance on this -- but the readout, basically, is he was listening to their concerns and he was also expressing his views. Karl, of course, is somebody who is deeply conversant not only with the general overview of the President's approach to immigration, but also has a pretty good sense of a lot of the fine details. So there's a lot of give and take. I'll let House members and others who were involved in the meeting give you a better take.

Q Was he invited up, or did the President send him up, or how did that -- how was that arranged?*

MR. SNOW: Don't know. We'll attach that as a footnote. I don't have an answer for you.

Q Tony, two quick questions. One, this is Asian Heritage Month, which the President already celebrated in East Room last week. In talking about the people -- who come from India, and the Prime Minister of India is also one of them -- and they are about 100 of them in the U.S. military fighting for America and, of course, for us all. And one of them died in Iraq, laid down in Arlington Cemetery. My question is, what they are saying -- they gathered about 1,000 of them last week in this area -- that they are being discriminated by the U.S. army, that they cannot wear turbins and they must --

MR. SNOW: Okay, I'm going to have to refer matters -- I'm going to have to refer matters like that over to the Pentagon. I don't have an answer.

Q One on immigration -- I'm sorry. One on immigration. My question -- what I'm suggesting -- that if President can look back, he said that we have stopped terrorism by keeping terrorists beyond our borders where they came from who are training them, they are now there. Why can't we do the same thing with illegal immigrants, if we bring all those factories from China and put them back to Mexico, and then they will have jobs and they won't come across the U.S. border illegally here.

MR. SNOW: You're suggesting that we take factories from China and place them in Mexico?

Q Yes, because in China, we are losing --

MR. SNOW: I think that's beyond the powers of being Press Secretary and even the President.

Q Tony, yesterday, the President was asked by Terry about the surveillance program. He said, "The program he's asking about is one that's been fully briefed to members of the United States Congress and both political parties. They are very aware what is taking place." It's something he said over and over.

MR. SNOW: Right.

Q Why -- if that was true yesterday, why would you need to brief more people -- if they were fully briefed already, if Congress really has been --

MR. SNOW: No, no, no. He's talked about -- and we've already been through this -- it was a gang of seven or a gang of eight depending -- so not everybody on the Intelligence Committee was fully briefed in on this. And so what's happening now is that the full memberships of the Intelligence Committees -- this is not the case that every member of Congress is going to get a full briefing on this. Instead, it's being limited to the appropriate jurisdictions.

Q -- has really been fully briefed, because some Democrats have complained that they have not been fully -- even the gang of eight -- that they were only given limited details, they really were not fully briefed, and that the President has not been telling the truth on that.

MR. SNOW: Neither you, nor I have sat in on the classified briefings. Here's the key. Every -- why don't we find out what happens at the brief; if somebody comes out and says they weren't fully briefed, then I'll go back and find an answer for you. But this all seems to be characterizations and people's characterizations of conversations and it's very confusing.

What precisely is it that I can help you with on this?

Q If the President keeps saying that the key members of Congress have been fully briefed -- he said that yesterday, right?

MR. SNOW: Yes.

Q What has changed today that he has to fully brief more people?

MR. SNOW: What has changed -- okay, in other words, why is it that we're briefing all of the Intelligence Committees rather than part? Again, I'll refer you back -- because the committee -- it was in the judgment of the committee chairs that all of their members needed to be briefed so that you didn't have to get into the position of compartmentalizing the hearings with General Hayden, and so on. What we're doing is we're taking up the advice of the committee chairs and following their recommendation.

Q Some of these leaders have been asking for the briefing for months now. And there's -- and Pelosi has been asking for it, Jane Harman has said that she hasn't been given as much detail as she'd like.

MR. SNOW: Right.

Q And now, suddenly, what's changed that the President is now responding to the committee chairs?

MR. SNOW: Jessica, how many times do I have to answer the same question? I've answered the same question the same way eight times now. It's not going to change.

Q But until now, no one behind that podium has ever said, well, we'll deal with the committee chairs. They said it was at the discretion of the President who he's going to brief.

MR. SNOW: The President has used his discretion to respond to the concerns of the committee chairs. (Laughter.)

Q I'm trying to figure out why Yuma. The border is, what, 2,000 miles, and Yuma is about as far as you can go short of San Diego. What is there that's special about that?

MR. SNOW: I don't -- look, no matter where we would have chosen on a 2,000-mile swath of border, you would have said why there. (Laughter.) Because it's a really good spot. (Laughter.)

Q Does the fact that Governor Napolitano --

MR. SNOW: No, it really doesn't have anything necessarily to do with Governor Napolitano, although we are very happy to have her joining us. But in any event --

Q The President had a reason to pick it.

MR. SNOW: Say what?

Q He must have had a reason to pick Yuma.

MR. SNOW: Go talk to the advance people.

Q No, no, no, it isn't made by the advance, they just advance.

Q A couple of follow-ups. On the NSA stuff, General Hayden last week, according to Senator Durbin, suggested that there may come a day when FISA might be altered so as to accommodate the terrorist surveillance program. What's the status of the administration's consideration of that?

MR. SNOW: I think it's really premature at this point. That was a conversation between the two of them. It was the opinion of General Hayden, at least as conveyed to us through Senator Durbin. If and when such a thing should be ready for consideration by the Congress, we'll be able to talk about it in some detail, but that's what it is. You're just reciting a conversation.

Q On the immigration front, last night Senator Bingaman's amendment passed that substantially shrinks the size of the proposed guest worker program.

MR. SNOW: Right.

Q What does the administration, having put forth a statement of administration policy that suggests that it supported the McCain-Kennedy approach to guest worker, think about its reduction?

MR. SNOW: Well, I think, as we've said all along, what we're going to do is we're going to keep an eye on what's happening. The President wants comprehensive immigration reform. And obviously, Carl, between now and anytime that the Senate passes a bill and then it goes to conference, there are going to be lots of conversations about what we deem appropriate. And I think we'll express our views there. But right now the most important and I think heartening thing is that the Senate has moved with considerable dispatch to go ahead and try to provide what the President has been talking about, which is a comprehensive approach to immigration reform.

Q Tony, has there been further discussions with the border state governors? And does the White House have any indication about how much they will go along with the National Guard plan?

MR. SNOW: Well, let me reverse the question, Jim. What we're talking about is using National Guard to free up Border Patrol agents. Now, the governors all have the option of saying yes or no. They have the ability. If the governors choose not to have National Guard forces to come in and relieve Border Patrol, who otherwise would patrol the border, that's their option, and it's entirely at their discretion. Nobody is going to twist their arm and say, you must take National Guard troops, you must deploy more Border Patrol agents to the border.

My sense is hearing -- Governor Richardson has said he wants more Border Patrol agents. We're granting his wish. Governor Schwarzenegger has expressed a little bit of concern about National Guard units who otherwise would do combat being moved to other roles. Well, we're not proposing that. What we're talking about is people doing things for which they've been trained, and that would be engineering, surveillance, transportation and the like.

So I think in many ways, at least based on the public comments, a lot of these concerns have been addressed. But, obviously, there are a lot of very practical questions, hard, practical questions the governors are going to want to ask and considerations they're going to want to have answered, and we will work with them continually.

Q Is that process going on now? And has the President, himself, called any of them yet?

MR. SNOW: I do not know if the President has called any of them yet. I know that there has been considerable work at the staff level.

Q What would the President say to some of these House Republicans who are saying, look, I think it's going to be a very tough election year for midterms, gas is at $3, Iraq is Iraq, and now you're asking me to do something that to a lot of my folks who voted for me last time and the time before that sounds like amnesty -- why should I go along with you on this?

MR. SNOW: Well, this is one of the glories of democracy -- we now get to make the argument. Because a lot of people have been saying "amnesty." Now, as I pointed out yesterday and I think it's worth going back through -- it's not amnesty. I mean, if you say to -- no, you roll your eyes, but let's think about it. Amnesty means, sorry, no harm, no foul, no crime, go about your business. In this particular case it is: You're going to pay fines, stiff fines;

you're going to pay taxes; you're going to have to stay continuously employed; you can't break the law; you have to learn English. Now, you have all those.

Then after you've achieved all those things, you get the right to go to the back of the line. You've got 11 years of probation, maybe more. In that probationary period, you have to keep a job, you have to keep your nose clean, you have to learn English, you have to go through the bureaucracy, you have to pay the fees that attend going through. So you put all that together, it's not amnesty. The people who will go through that process are going to have to go through some of the most expensive and the longest tracks towards citizenship anybody has ever faced. But linguistic precision is important here, because when people say it's amnesty, it's not. Period.

Q But you know the argument --

MR. SNOW: I know the argument, and I've just given a rebuttal. One of the things -- this rebuttal has not been offered until the last few days. Now we have our chance to respond to the amnesty argument, and that's the answer.

Q Another crack at why we're going to Arizona tomorrow. Immigration is a big part of the political scene out there. You've got a Republican Senator who's considered vulnerable, a couple of House seats with Republicans. Is the political climate one of the reasons that the President is going to go down there tomorrow?

MR. SNOW: I hate to profess ignorance. I honestly don't know. It's -- I don't know. I'll get you an answer, but my sense is that what we're doing is we're going down to a state where you've got more border crossings than I believe any other state, where it is a hot issue. Why not go to a place where it's important? You've got a governor who's been engaged in this. It's a good place to do it. Again, anyplace we would have done this event, people would asked political questions, they would ask the "why here" questions; those are always going to attend. What the President really wants to do is to find an appropriate place to lay out what he wants to do with immigration, and he's going to have an opportunity to meet with Border Patrol agents. He'll have the Chief of the Border Patrol with him. And I think that also gives him a chance to talk in practical terms of the people who are going to be on the front lines to trying to make the borders even more secure in the future.

Les.

Q Tony, would the President be willing to guard the White House with the same level of security he wants to use to guard the U.S.-Mexican border, without walls, without complete fences, and with insufficient armed services -- armed personnel?

MR. SNOW: With all due respect, the White House is a little different than a 2,000-mile border.

Q I understand that, but --

MR. SNOW: So the answer would be, no.

Q Okay. And can we -- well, thank you. (Laughter.)

Q He's flabbergasted. (Laughter.)

Q Tony, I had a question about the economy. We had a new inflation number out this morning --

MR. SNOW: Yes.

Q -- and you have said that inflation is not a concern, and yet the stock market today and the bond market are saying, yes, it is a concern. Who do we trust?

MR. SNOW: Well, I'm not -- did I say inflation wasn't a concern? I think what we said --

Q John Snow said earlier today that it was well contained, and yet the stock market and bond market are both down sharply today because of inflation concerns --

MR. SNOW: Okay, well you're play off Secretary Snow against the markets. I have to refer that back to Secretary Snow. You can get his response to it.

Q Well, I mean, in this case, if the administration is saying that inflation is not a concern, and the market is saying it is, who are we to believe?

MR. SNOW: Let me make the broader point, because we're going to have a tax extension ceremony signing -- tax extension bill signing a little later today. What this administration is committed to is continuing on the growth path. We had 5.7 percent increase in real wages in the last quarter. We had 4.8 percent economic growth. We had 3 percent productivity growth. You've got an economy that is moving briskly forward, more rapidly than the rest of the world.

So if you're trying to get me to respond to a snapshot of the market in one day, I'm not going to get myself involved in trying to talk about confidence, whether inflation is a concern or not, because as I'm sure you're aware, comments like that from this podium have a tendency to move markets and do that sort of thing. I'm just not going to be drawn into it.

Q I understand that you're -- the figures on the economy, but are you concerned that it's over -- that this economy could overheat?

MR. SNOW: We went through this yesterday, and the baseline argument is, am I concerned that there's going to be too much prosperity? I am not going to get into a discussion about proper inflation rates and that sort of thing, because, frankly, to do so is not something that's appropriate for me to do from this podium.

Q Can I go back to the NSA briefings that are going on May 17, 2006? Is the briefing going to be limited to the program that the President has publicly acknowledged? Or is it going to be the entire scope of NSA surveillance? Will the people who are briefed get the full picture of what is going on?

MR. SNOW: Permit me to turn to my trustworthy assistants.

MS. PERINO: Full terrorist surveillance program.

MR. SNOW: Full terrorist surveillance program.

Q When these briefings are done, they won't be able to say they've been blind-sided by --

MR. SNOW: That is your characterization. Well, look, you never -- I don't want to predict what a member of Congress will or will not say after coming out of a hearing.

Q Has Karl Rove spoken to you about the CIA leak case?

MR. SNOW: No, he hasn't.

Q Has any member of the administration spoken to you about the CIA leak case?

MR. SNOW: Yes.

Q Who?

MR. SNOW: I'm not going to tell you. (Laughter.)

Q Has any White House lawyer spoken to you about the case?

MR. SNOW: Again, I just -- didn't I just tell you that I'm not going to tell you who I've spoken with?

Q I'm just asking.

MR. SNOW: I know. Good questions. (Laughter.)

Q Tony, a couple of questions on immigration. It can be argued that comprehensive immigration reform, no matter what form it takes, the final form is really going to be an exercise in futility until Mexico does something to actually seal its borders and take care of its economy. What is our government doing to get Mexico to do that?

MR. SNOW: Well, I told you -- we have worked with Mexico through the North American Free Trade Agreement to try to enhance prosperity in Mexico. The President also spoke over the weekend with President Fox about the importance of working together on measures to secure the border, and also to make sure that we try to deal not only with border crossing, but also with crime in and around the border area.

I don't know how much further I can go than that, but that's -- these are ongoing efforts. I mean, if your idea is sort of, snap, suddenly Mexico solves the problem, it doesn't work that way.

Q It doesn't work that way, but I'm also wondering about some of their actions that seem to encourage people to cross the border and treat us almost like a dumping ground for their social problems, i.e. giving them maps on how to cross the border, which they did a few months ago, and now the latest threat is to sue us in U.S. courts if the National Guards happens to apprehend any of their nationals --

MR. SNOW: You're leaping to conclusions. The dumping ground remark, I think, is one with which -- I'll let you stick with your characterization, but I think you've got to be careful about how you characterize these things. I'm also not going to try to get into presumptive arguments with members of the Mexican government about lawsuits that may or may not be filed at some point in the future. As you know, people in politics say many things -- we'll have to see what happens. If that issue arises, we'll address it in due course.

Q Tony, thank you. I'll try to not to chirp. The Post said I chirped yesterday. On Somalia, is the United States working with warlords? Does the United States -- does the Bush administration consider the Somalia government to be responsible for specific genocide against African Christians in Darfur?

MR. SNOW: I'm going to be very precise about this, and I will give you -- because this is one of these things where I want to be careful how I parse it. First, the President has said that his primary responsibility as Commander-in-Chief is to keep the American people safe. That's a solemn task. The second thing is, you've got instability in Somalia right now, and there is concern about the presence of foreign terrorists, particularly al Qaeda, within Somalia right now. In an environment of instability, as we've seen in the past, al Qaeda may take root. And we want to make sure that al Qaeda does not, in fact, establish a beachhead in Somalia.

Now, the problem we've seen before in ungoverned -- these are problems that we've seen in other ungoverned regions in the past. The terrorists are going to seek to take advantage of the environment and use that kind of chaos in order to put together camps and, therefore, mount operations around the world. The United States -- we will continue to work with regional and international partners wherever we can to crack down on terrorism, and also to try to prevent its rising.

In the long run, the answer to your concerns is an effective, functional government of Somalia, which, obviously, we do not at the moment have. The United States strongly supports the transitional federal institutions in Somalia because they are trying to re-establish a functioning central government within Somalia that can bring the Somali people out of the period of civil conflict. As I said, I am going to be very careful with the way I say it, and I will say no more.

Q I appreciate that. One more thing on the genocide, though. Does the President --

MR. SNOW: As I said, I'm not going to make any further comment on Somalia.

Q What are you really saying?

MR. SNOW: Every word will be in the transcript, every, single one.

Q Does the White House have a position on whether earmarks should be identified by individual lawmakers?

MR. SNOW: At this point, once again, guidance from the bench --

MR. LISAIUS: We've been clear on our position on earmarks, and we'll be happy to follow up on that right after this.

MR. SNOW: Okay, in other words, we'll give you a footnote on that.

Q On Karl's meeting on the Hill this morning, do you know if there were any questions or concerns from the House Republicans there about Karl's potentially precarious situation here?

MR. SNOW: His potentially precarious situation? In other words, whether they were talking about the special counsel?

Q And whether he's going to be around for the elections, and in what capacity?

MS. PERINO: In the meeting today?

Q Yes.

MS. PERINO: No, it was about immigration.

MR. SNOW: No, it was about immigration.

Q No concerns were raised by them?

MS. PERINO: No.

MR. SNOW: Dana was there for every moment of it, so you have a full and complete readout.

Q Yesterday you were asked a question about D.C. voting rights. And in the past when I've asked your predecessors these questions, they've said the President is against voting rights, it's in the Constitution, D.C. doesn't deserve voting rights. I notice -- were you sending a signal?

MR. SNOW: No, I wasn't sending a signal.

Q Has he changed his position on that issue?

MR. SNOW: There are -- the President hasn't changed his position.

Q Tomorrow there will be a mark-up on the Davis bill. There also will be a mark-up promise in Judiciary. Both committees have hearings. If it should pass the House and pass the Senate, would the President sign the bill?

MR. SNOW: Well, if and if --- get back to me when.

Q Would the President veto the bill?

MR. SNOW: If and if -- get back to me when.

Q And final question. Why -- I've asked the question to your predecessors, I'll give you a shot at it -- why is the President for democracy in Baghdad, but not right here in the Nation's Capital?

MR. SNOW: Well, again, it's an argumentative question, and based on what you're -- there are many interpretations of that the Constitution does and does not permit. And rather than argue -- I believe there are elections in the District of Columbia, are there not?

Q Yes.

MR. SNOW: So that would qualify as --

Q But the delegate has no vote in the national election.

MR. SNOW: I know, but you just argued that there was no democracy in D.C., and you just said --

Q Not full democracy.

MR. SNOW: Full democracy, okay. Well, that's -- that, as you know, is a much thornier question, and I'm just going to leave it at that.

Q There have been news reports this week that the FBI is using the Patriot Act to obtain phone records of journalists without their knowledge and without judicial oversight. And as a former journalist, are you at all concerned about this sort of intrusion on press --

MR. SNOW: I would be concerned if there was grounding to it. There have been reports, but once again, it has referred to the NSF program, which is strictly concerned with foreign international counterterrorism. I'm sorry, the pieces just don't add up.

Q I have a question about very high gas prices. As you know, the President plans to meet with the leaders of the big three auto companies on June the 2nd. And my first question is, what's the purpose of that meeting? And my second question is, does the President have any plans to meet with the leaders of big oil here at the White House?

MR. SNOW: Big oil?

Q Leaders of the big oil companies.

MR. SNOW: The President has talked repeatedly about his interest in trying to chart a path toward energy independence, and he's going to talk to all parties involved in that. There are many technological issues in play, but as you also know, we tend not to announce greatly in advance items that may appear later on the agenda. The reason you're asking me about the automakers meeting is that that was postponed precisely because we're going to Yuma tomorrow. So I'm not going to jump the gun and tell you what may or may not happen in future events here at the White House.

Q Last week, Senator Sam Brownback mentioned the United States should pursue the human rights issue based on the model of -- will the United States bring the six-party talks on this issue in the future?

MR. SNOW: Well, first, I appreciate Senator Brownback's long commitment to human rights. And secondly, I'm not going to say in advance what they're going to be bringing before the six-party talks.

Q Can you tell us, any more hints about tomorrow, the event itself, who else might be there, what he'll do --

MR. SNOW: Well, I know we've got some members of Congress traveling with us. The President is going to be on the border in Yuma. I did a readout this morning, and you can go back and look at the gaggle transcript if you want, but he will be there, he'll be meeting with Border Patrol agents. We will also have, as I mentioned, Chief Aguilar of the Border Patrol along, and there will be medial avails and he'll have some comments again about the war on terror.

April.

Q Tony, there was a very cordial meeting recently between President Bush and Julian Bond. Julian Bond extended the olive branch and asked the President to attend the upcoming convention of the NAACP. What is the President's --

MR. SNOW: Well, there's no decision on that. Are you talking about at the Correspondents dinner, when they had a moment?

Q Yes. Yes.

MR. SNOW: Because I saw them in the corner of the room. I mean, it was just nice to see them conversing with one another and have smiles on both of their faces. But at this point, there's no determination, April.

Q So how does he feel about Julian Bond now?

MR. SNOW: I'm not going to get into the President's thoughts, either way, about Julian Bond. But, thanks.

Q Did you mean the war on terror comments?

MR. SNOW: What did I say?

Q You just said war on terror comments at the border.

MR. SNOW: No, no, no, I'm sorry, I'm sorry -- immigration. Thank you very much.

Q Congress will be considering its second tax extension bill after the one signed today. They're considering attaching this to pension reform. Does the administration think it should stand alone?

MR. SNOW: I think what the President wants is to make sure that the tax cut provisions are extended. He's made it very clear. I don't want to get into process right now about how that may be achieved. It is very obvious it is very important to the President to make sure that we get extension of all the cuts that have been enacted into law.

Q I just want to follow on Senator Hagel's before and after comment, because it strikes me that that's a bit more reflective of what we're seeing in the Senate -- it's wrong to suggest that they would play ball on this sort of comprehension idea of immigration, something close to the President's. But that's so much different than what you see in the House, which seems to be saying: enforcement, illegal entry only -- I don't want to hear about guest workers and temporary. So who is the before and after in the House?

MR. SNOW: Well, this is why I think it's going to be interesting, because you had a long meeting today -- or you had a meeting, I don't know how long -- how long was it, Dana?

MS. PERINO: About 30 minutes.

MR. SNOW: About 30 minutes. So he had a 30-minute meeting with members of the House. You know, let's just wait and see. As I mentioned yesterday, you've got a big proposal with a lot of parts in it that members of the House and Senate have to take a look at. I mean, I think what you've seen is a number of members of the House who originally were prepared to say there's no border security. Then they look into it -- well, there is. There's border security here.

Q I read a lot of blogs yesterday. I talked to a lot of people yesterday. I didn't hear one person from the House saying, he got it, he finally got it, and now we can play ball with him.

MR. SNOW: Well, there are 435 members of the House. I did not have a chance to ask each and every one of them, or, for that matter, any. But I think the key here is -- as I mentioned, the President is going to be saying tonight at the RNC Gala, politics is about ideas. And I think members of the House -- I don't want to betray confidences, but I think that you're going to find that members of the House -- yes, just between you and me? (Laughter.) That works at that network, doesn't it? (Laughter.) Just between you and me -- it took him about 20 seconds to figure that one out. (Laughter.)

I think Republicans are happy to see the President stepping up and leading on this one. And I think what you're going to see is that they are going to take a good, respectful look at what he has to say. And whatever come before I think is now going to be shaped by the fact that the President of the United States and the leader of their party has had some very bold things to say about immigration. I think they've got to take that seriously, and I think they will.

Q Tony, a quick follow on tax reconciliation.

MR. SNOW: Yes.

Q Pelosi and Reid's office has just put out a statement pre-slamming you. It says, "Democrats to slam Republican tax cut on middle class families." And they go on to describe it as "a tax cut in the wrong direction, eliminating tax deductions that help students pay for college in order to give massive handouts to big business and multi-millionaires." Your reaction, sir?

MR. SNOW: My reaction, sir. Well, let's see, as we get ready with a flourish here. Look, it is pretty obvious that the tax cuts -- at least it's obvious -- let me change that. Since the tax cuts were enacted, what have we seen? We have seen the American economy zooming upward. We have seen prosperity extended through all levels of our economy. We've seen $800 billion in the pockets of taxpayers. As I pointed out before, you're familiar with the growth statistics.

Now, I'll put that up against any talking points or prebuttals that anybody else has to offer. I'm not going to pick particular fights with the Democratic leaders of the House or Senate, but I think the economy right now is a pretty strong hand to play. And I think that the tax cuts have played a role in making that economy strong.

Q Tony, quick question. Yesterday when the President met with Australian Prime Minister, did the issue of U.S.-India civilian nuclear came up, or not? If so, what their discussion?

MR. SNOW: Well, again, it is not up to me to talk about the private discussions between the Prime Minister and the President.

Q Thank you.

MR. SNOW: All right, Steve, thank you.

Q Scott always did. It's okay. (Laughter.)

END 1:12 P.M. EDT

*Karl Rove was invited to speak by the House Republican Conference.

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